



Adroddiad**Report**

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Arolygydd a benodir gan Weinidogion Cymru

an Inspector appointed by the Welsh Ministers

Dyddiad: 02/05/2012

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HIGHWAYS ACT 1980

ACQUISITION OF LAND ACT 1981

**THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO
HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO
EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY
TRUNK ROAD (A470) (CONNECTING ROADS) ORDER 1999 (BRYNMAWR
TO TREDEGAR) (AMENDMENT) ORDER 201-**

**THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO
HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO
EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY
TRUNK ROAD (A470) (CONNECTING ROADS) (BRYNMAWR TO TREDEGAR)
(SIDE ROADS) ORDER 201-**

**THE WELSH MINISTERS (THE NEATH TO ABERGAVENNY TRUNK ROAD (A465)
(ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF
ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD) (A4060) AND CARDIFF
TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS)
(BRYNMAWR TO TREDEGAR) COMPULSORY PURCHASE ORDER 201-.**

GLOSSARY AND ABBREVIATIONS USED IN THIS REPORT

WG	Welsh Government
COBA	Cost Benefit Analysis of the Department of Transport/Welsh Government
BCR	Economic Benefits to Costs Ratio
DMRB	Design Manual for Roads and Bridges of the Department of Transport/ Welsh Government
ES	Environmental Statement for the scheme
SRO	Side Roads Order
CPO	Compulsory Purchase Order
TRFP	Trunk Road Forward Programme 2004 (Supplement)
vpd	Vehicles per day
S	Prefix for Supporters' document files
R	Prefix for files of those making representations
O	Prefix for Objectors' document files
CO	Prefix for Counter-Objections
Reb	Prefix for Rebuttal evidence of the WG
DD	Prefix for deposited documents
ID	Prefix for documents raised/submitted at Inquiry
WG	Prefix for the Welsh Government's evidence in chief
SAC	Special Area of Conservation
BBNP	The Brecon Beacons National Park (Authority)
B-G CBC	The Blaenau-Gwent County Borough Council
EA	The Environment Agency (Wales)
CCW	The Countryside Commission for Wales
Defra	The Department of the Environment and Rural Affairs
ANOB	Area of Outstanding Natural Beauty

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CASE DETAILS

- The draft Amendment Line Order would be made under Section 10 of the Highways Act 1980 and is known as: THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) ORDER 1999 (BRYNMAWR TO TREDEGAR) (AMENDMENT) ORDER 201-.
- The draft Side Roads Order would be made under Sections 12, 14, 125 and 268 of the Highways Act 1980 and is known as: THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) (BRYNMAWR TO TREDEGAR) (SIDE ROADS) ORDER 201-.
- The draft Compulsory Purchase Order would be made under Sections 239, 240, 246, 250, 254 and 260 of the Highways Act 1980 and under Section 2 and paragraphs 1(1)(b), (3) and (4) of Part 1 of Schedule 2 of the Acquisition of Land Act 1981 and is known as: THE WELSH MINISTERS (THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD) (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) (BRYNMAWR TO TREDEGAR) COMPULSORY PURCHASE ORDER 201-.
- The draft Line and draft Side Roads Orders were published on 15 September 2011. The draft Compulsory Purchase Order (CPO) was published on 22 September 2011. An Environmental Statement (ES) (DD005-DD008, DD020-DD036), and a Statement to Inform an Appropriate Assessment of the effects of the scheme on the Usk Bat Sites and Cwm Clydach Woodland Special Area of Conservation (SAC) were published on 15 September 2011 with a request for comments to the Welsh Government on the ES by 27 October 2011 (DD011, DD124). A Supplement to the ES was published on 23 February 2012 (DD43-DD46, DD49).
- A notice of Intention to Issue a Certificate in accordance with Section 19 of the Acquisition of Lands Act 1981, in respect of the area of Common Land that would be affected by the scheme, was published on 22 and 29 September 2011.
- There were 14 objections and 6 representations submitted before the end of the objection period of 27 October 2011. The Welsh Government had received 8 letters of support by the end of the Inquiry. Of the objections only 3 remained unresolved at the end of the Inquiry, whilst one representation was unsatisfied.
- The Orders, if made, would authorise the Minister acting on behalf of the Welsh Government to carry out an improvement scheme to the A465 Heads of the Valleys trunk road of approximately 7.8 km in length. This would comprise a substantial on-line widening of the existing road at the eastern and western ends, coupled with a 4.7 km length of off-line diversion from the existing trunk road, all between its roundabout junctions at Brynmawr and Tredegar.

SUMMARY OF RECOMMENDATIONS- I recommend that the draft Amendment (Line) Order, the draft Side Roads Order and draft Compulsory Purchase Order are all modified and, as modified, be made.

1. PREAMBLE

- 1.1 I was appointed by the Minister for Local Government and Communities at the Welsh Government pursuant to Paragraph 7 of Schedule 1 of the Highways Act 1980 and Schedule 13 (2) of the Acquisition of Land Act 1981 to hold Public Local Inquiries concurrently into the above draft Orders and to report to the Welsh Ministers (DD204, DD206).
- 1.2 For ease of reference I shall refer to the Public Local Inquiries as “the Inquiry” in this report. I held the Inquiry at the General Offices, Steelworks Road, Ebbw Vale over 6 days between 20 March 2012 and 28 March 2012. A widespread accompanied site inspection took place on 28 March 2012 as well as a targeted inspection of the areas of existing and proposed replacement Common Land. I undertook unaccompanied site inspections on 19 and 29 March 2012. These included a visit to communities, well clear of the scheme that would be affected by an alternative proposal advanced by an objector and debated at the Inquiry.
- 1.3 I held a Pre-Inquiry meeting at Ebbw Vale on 2 February 2012. A note of the meeting was sent to all attendees and those who had made objection or representation about the draft Orders (DD18). The note is at Inquiry Document 1(ID1).
- 1.4 No objectors appeared at the Inquiry. One supporter, the Blaenau-Gwent County Borough Council appeared, as did 6 witnesses who spoke as counter-objectors. Nine witnesses gave evidence at the Inquiry on behalf of the Welsh Government. There were approximately 180 attendees at the Inquiry (ID50).
- 1.5 There were no objections relating directly to the detrunking of a length of the existing A465, as proposed in the draft Amendment Line Order.
- 1.6 At the end of the objection period the main grounds for objection to the draft Order proposals were:
 - The scheme is unnecessary at the present time.
 - An additional grade-separated junction at Garn Lydan should be constructed in order to link the B4560 Llangynidr Road directly to the trunk road (This is known as Alternative 1).
 - An alternative alignment for a bridleway would be better than that proposed in the draft Orders (This is known as Alternative 2).
 - There would be widespread adverse effects on the environment, including noise disturbance and, at night, light pollution.
 - There would be an adverse effect on the Brecon Beacons National Park.
 - There would be adverse effects on agriculture and some proposed private means of access to agricultural holdings would be unsatisfactory in practice.
 - The proposals for bridle paths and cycle ways could be inadequate and dangerous unless these were grade-separated from the trunk road and

properly surfaced.

- The road line should be diverted to avoid land owned by AB Cardinal Packaging at the Rassau Industrial Estate.
- The effect of the scheme on reservoirs and water infrastructure would be unacceptable.
- The re-routing of traffic would burden communities and the side road proposals should be amended to correct that.
- The area of Common Land that would be offered in exchange for that which would be taken by the scheme is inadequate.

1.7 At the Inquiry the Welsh Government confirmed that all Statutory Procedures had been properly completed (ID4).

1.8 This report contains a brief description of the area, the gist of the cases presented and my conclusions and recommendations. Lists of appearances and documents are appended at Annex A and Annex B respectively. Annex C sets out the modifications proposed for the draft Orders, as requested by the Welsh Government, mostly following discussions between the Welsh Government and affected parties. Annex C also includes a Compulsory Purchase and Side Roads Order Modification recommended by me.

2. PROCEDURAL MATTERS

2.1 The Inquiry was conducted under the Highways (Inquiries Procedure) Rules 1994 (DD207) and The Compulsory Purchase (Inquiries Procedure) Rules 2010 (DD208). At the Inquiry there was no acceptance of an offer of the translation facilities that were available on a daily basis. No legal or substantial procedural matters were raised at the Inquiry.

3. SITE DESCRIPTION OF THE ORDER LANDS AND SURROUNDINGS

3.1 The existing 3-lane A465 trunk road climbs from an at-grade roundabout in the Clydach Gorge at Brynmawr westwards on a steep incline to a summit before declining to a roundabout near the northern outskirts of Ebbw Vale. The Brecon Beacons National Park, a huge expanse of dry grass moorland, into which the proposed road would run for a short distance, is located immediately north of this length of the existing A465. The position of the scheme in relation to the boundary of the National Park is shown at ID6.

3.2 Two operational reservoirs, at Blaen-y-Cwm and Carno, lie just north of the proposed road corridor. The road would sit at the bases of these substantial earth dams and adjacent to a number of prominent electricity power lines and pylons that run prominently from west to east, criss-crossing just in or south of the National Park. The road would lie between the reservoirs and the residential

area of Garn Lydan. It would occupy ground that generally overlooks the industrial valleys to the south, whilst views of the proposed road from the north, and from the bulk of the National Park, would be obscured by a predominant ridgeline that runs east-west just to the north of the reservoirs. Much of the ground over which the scheme would run is reclaimed land arising from shallow coalmining.

- 3.3 At Garn Lydan the proposed corridor would encounter the north-south B4560 Ebbw Vale to Llangynidr mountain road and, to the west of that the corridor would pass south of the large industrial site at Rassau and north of the residential area of Rassau.
- 3.4 West of Rassau the topography folds over and descends towards the existing trunk road as it approaches the Nant-y-Bwch roundabout that serves as the access to Tredegar to the south and Waundeg to the north. West of Nant-y-Bwch lies the recently constructed dual carriageway that runs west into Glamorgan and eventually to the M4 near Swansea.
- 3.5 An aerial photograph of the area, with the scheme superimposed on it, can be seen at ID47 and ID48.

4 THE CASE FOR THE WELSH GOVERNMENT

The material points were:

- 4.1 An overall general plan of the scheme can be found attached to page 14 of the Non-Technical Summary of the Environmental Statement (ES) (DD17).

The Background to the Scheme

- 4.2 A 1990 traffic study of South Wales revealed the need to improve the whole of the A465 Heads of the Valleys road between Abergavenny in the east and Hirwaun in the west to dual carriageway standards. East of Abergavenny and west of Hirwaun the trunk road is already an operational dual carriageway (WG01C).
- 4.3 In 1994 overall proposals for the improvement went to public consultation. The Secretary of State for Wales announced the preferred route in 1995, as a predominately on-line dualling, with off-line construction proposed at Hirwaun and Rassau. The Line Order defining the centre of the proposed road was published in 1997 and made by the Secretary of State for Wales in 1999 following the Inspector's recommendations based on evidence presented at the 1998 Public Inquiry. The A465 was seen as a route of national importance, being part of the Trans European Network that connects the M4 motorway and West Wales to the English trunk road and motorway network. In running across the Heads of the Glamorgan and Gwent Valleys it was also seen as an important regional connector linking the main north-south valley roads, local industry and communities (DD40, DD41).
- 4.4 The overall improvement for the Heads of the Valleys Road was programmed into 6 sections. The construction contracts for Sections 1 and 4, between

Abergavenny and Gilwern and between Tredegar and Dowlais Top respectively, are complete. The Orders that were the subject of this Public Inquiry were for section 3-between Brynmawr and Tredegar.

- 4.5 In March 2010 Carillion were awarded an Early Contractor Involvement (ECI) contract to design and construct section 3. The design established advantages in amending part of the 1999 scheme. The Design Commission for Wales formally reviewed the emerging design (ID20, ID21). The Designer's reaction to the Commission's observations is at ID22.
- 4.6 The made Line Order for the whole of the 1999 scheme gives the Welsh Ministers authority to proceed with the whole of the original scheme. The purpose of the current draft Amendment Order is to substitute the line approved by the 1999 Order with a fresh line for section 3, including new junction and slip road arrangements and a large rest area near Garn Lydan. Should the draft Amendment (Line) Order be made, the length of the existing A465 that would be de-trunked would alter relative to that confirmed by the 1999 Order. The Amendment (Line) Order and the Associated draft Side Roads and Compulsory Purchase Orders constitute the subject matter of this Inquiry. Should these current draft Orders not be made following this Inquiry the 1999 Order would remain in force un-amended (WG01A, ID49).
- 4.7 In considering the Orders before the Inquiry it is only necessary to consider the statutory tests in respect of section 3 of the overall scheme, because approval for all 6 sections of the A465 widening was given by the Secretary of State in 1999 and remain legally secure (ID49).
- 4.8 A fresh 2011 ES for section 3 was developed to reflect the design changes brought forward. Later modifications to that ES, in the form of a 2012 Supplement, were published to bring the documentation up to date in terms of local policies and national technical methodology (DD043-DD047).

Relevant National Policy

The Wales Transport Strategy-One Wales: Connecting the Nation (DD101)

- 4.9 This document, in recognising the importance of good, reliable connectivity in Wales and between Wales, the UK and EU for business and tourism, sets out the Welsh Government's strategy for transport with strategic aims, including the following:
- Reducing greenhouse gas emissions and other harmful environmental effects.
 - Integrating local transport.
 - Improving access between key settlements and health care.
 - Improving access to employment opportunities.
 - Improving the efficient reliable movement of freight, people and visitors.

- Enhancing international and national connectivity, and
- Increasing safety and security, and
- Improving the impact of transport on the local environment, heritage and biodiversity.

In line with this policy the scheme would:

- Ensure new transport infrastructure is resilient to climate change.
- Reduce traffic noise, severance, air and water pollution and the harmful effects on biodiversity by employing extensive mitigation measures.
- Provide walking and cycling links to communities and to the long-distance cycle network.
- Improve the reliability of the road networks between key settlements and local employment sites.
- Improve strategic east-west routes, and
- Reduce road casualties by providing a safer form of carriageway and removing collision prone cluster sites.

The National Transport Plan of March 2010 (DD104)

4.10 The Plan sets out how the Transport Strategy would be delivered over the 2010-2015 period. It recognises, at item 82, that *"The A465 HOV Road provides a strategic link for the northern Valleys, supporting regeneration and providing an alternative link between West Wales and the Midlands. The dualling of this road will be completed by 2020."* The Plan also states *"we will complete the dualling of the A465 Heads of the Valleys Road from Brynmawr to Tredegar by 2014"*. The National Transport Plan was prioritised in December 2011 and confirmed the proposed start for section 3 as 2012-2013, which is consistent with the formal Reprioritisation of the Trunk Road Forward Programme. Inclusion of the scheme within the National Transport Plan confirms that it meets the general sustainability requirements of Government policy documents (WG01A, ID49, DD43, DD110).

4.11 In line with the National Transport Plan the improvements to the A465 would:

- Help the integration of local transport by reducing congestion on local roads for local transport.
- Improve access between key settlements and sites by improving journey times and reliability.
- Enhance international connectivity, because the A465 is part of the Trans European Transport Network.

- Increase safety and security by providing safe overtaking opportunities and cycle ways, and
- Reduce greenhouse gas emissions and other environmental impacts by eradicating congestion.

4.12 Environmental and sustainability considerations are integrated into transport planning in Wales. The scheme would deliver transport and environmental improvements in a sustainable manner and would therefore comply with the requirements of One Wales: One Planet policies (DD101, DD110).

The Wales Spatial Plan (2008 update) (DD103)

4.13 Section 13 of The Wales Spatial Plan, entitled: Sustainable Accessibility, states "we will develop access in ways that encourage economic activity, widen employment opportunities, ensure quality services and balance the social, environmental and economic benefits that travel can have." The Spatial Plan Capital Network Strategy envisages new development being focused on 14 key settlements, one of which is the Heads of the Valleys area, which includes the Blaenau-Gwent area. The Plan recognises the A465 as an important transport corridor serving this area and linking it to West Wales and the Midlands (WG01A, DD043).

Trunk Road Forward Programme (TRFP) 2008 Reprioritisation (DD110)

4.14 The scheme is ranked within Phase 2 of the TRFP, which is defined as "high priority" and scheduled to start construction between 2011 and 2014.

Trunk Road Estate Biodiversity Action Plan (2004-14) (DD120)

4.15 The Action Plan stipulates that the Welsh Government has to have regard for the conservation of biodiversity in its work. Habitat Action Plans, Species Action Plans and Generic Action Plans are all concerned with actions, which would be incorporated into, or follow on from, the construction of the scheme.

Climate Change Strategy for Wales 2010 and the Adaptation Plan

4.16 The Welsh Government has a strategy for reducing greenhouse gas emissions by 3% per year from 2011 in areas of devolved competence. The transport sector is responsible for about a fifth of the 3% target. All infrastructure projects must incorporate climate change adaptation as part of their approach to sustainable development. The scheme would appreciably reduce existing congestion thereby reducing emissions, although it would not reduce traffic growth (DD043).

Economic Renewal, A New Direction (2010)

4.17 In pursuit of a strong economy the Welsh Government considers that "Wales

needs modern sustainable infrastructure to underpin economic growth and the well being of our people." The scheme would improve the existing road network infrastructure in a sustainable way and encourage economic growth (DD043).

Walking and Cycling Action Plan for Wales 2009-2013 (DD112)

- 4.18 The Plan is designed to encourage more people to walk and cycle safely and more often. The scheme would provide walkers and cyclists with new connections, more opportunity and new surfaced cycle ways.

Turning Heads- A Strategy for the Heads of the Valleys 2020 (DD117)

- 4.19 The upgrading of the Heads of the Valleys Road is regarded as a key opportunity in the strategy. The scheme would contribute towards, and be a fundamental part of, the strategy. It is recognised in the strategy as an improvement to transport links for individuals and business (WG01A).

Driving Wales Forward A Strategic Review of the Welsh Trunk Road Programme (WG01C)

- 4.20 Paragraphs 6.17-6.24 of the Review deal with the A465 and highlight that the already bad collisions record would worsen significantly should traffic growth occur. It also highlights the strategic value of the A465 as a diversionary route across South Wales when there is disruption on the M4 (ID11).

Programme for Government

- 4.21 The Programme for Government 2011-16 is the current action plan aimed at delivering the Labour Party's manifesto and includes the aims of:
- Strengthening business, jobs creation and economic growth.
 - Reducing poverty, and
 - Making communities safer.

The corresponding key actions would include infrastructure improvements for economic growth, for example by improving the A465. Community safety would be improved by reducing casualties on the A465 (WG01A).

European Structural Funds 2007-2013 – Sustainable Transport Framework (DD125)

- 4.22 The overall aim of the Framework is to increase accessibility within regions that need regeneration. It specifically targets improvements to the Trans European Road Network, which improves accessibility to European markets and to job opportunities and to schemes that reduce congestion and

associated carbon emission levels. The Framework recognises the scheme as one that would give impetus for economic and social regeneration of this area of South Wales (WG01A).

The Environment Strategy for Wales (DD106)

- 4.23 The Welsh Government's long-term strategy for the environment is set out in the document Environment Strategy for Wales. Its aim is to provide a framework within which an environment that is clean, healthy, biologically diverse and valued by the people can be achieved and one which is thriving and contributing to the economic and social wellbeing of all the people of Wales. The development of the scheme has sought to provide a balance between its advantages, including environmental advantages, and its environmental disadvantages. The scheme would improve the environment by removing congestion and reducing community severance, visual intrusion, noise and emissions, but it would, to a degree, adversely affect communities close to the scheme and bring with it environmental costs (WG01A).

Relevant Local Policy

Blaenau-Gwent County Borough Council- Deposit Local Development Plan (LDP) and Adopted Unitary Development Plan (UDP)

- 4.24 The LDP under policy T6 and the UDP under policy T2/A state that the scheme would facilitate the regeneration of the area and that there is an expectation that the improvement will generate new and sustained economic activity and investment.

Brecon Beacons National Park Authority (BBNP) Unitary Development Plan and Local Plan

- 4.25 The Plans stipulate development control policies and that major developments should only take place where proven to be in the public interest. The scheme is not recognised in the un-adopted UDP but is recognised in the BBNP Local Plan. This states, "*The NPA will oppose any proposal to construct a new route through the National Park, or any programme of major improvements to existing routes that would cater for or encourage their use by additional through traffic, with the exception of the A465, A470 and any scheme protected by a Road Line Order*". A made Line Order already protects the overall A465 scheme. The Plan goes on to say that the Authority would support the principle of the A465 widening improvement because it would reduce traffic on the A40 trunk road through the National Park and would improve safety on the A465. Concern was expressed about the impact on the Clydach Gorge, which would need special consideration (DD525, DD526, DD527, ID23).

South East Wales Transport Alliance Regional Transport Plan

- 4.26 The Alliance is made up from ten local authorities in South East Wales. Its aim is to encourage more sustainable, environmentally beneficial transport solutions to the current problems of transport. The scheme would be compatible with some of the objectives in the Plan but not all (DD107).

Blaenau-Gwent Regeneration Strategy (2009)

- 4.27 The strategy states that the A465 is the area's most important link to the national road network. Upgrading it is crucial for competitive advantage in the area. Enhancement of the A465 would have a fundamental impact on the upper Valleys (DD113).

Landscape Strategy for the A465 (2007).

- 4.28 This would provide a strategic and consistent approach to all sections of the A465 widening. It includes the provision of visitor facilities, (such as the proposed rest area at Garn Lydan), for gateway access facilities to towns and to the more wide ranging attractions of the Brecon Beacons and the Blaenavon World Heritage Site. The Strategy would be compatible with the biodiversity action plans for the various sections of the improvement (WG07, DD120, DD121).

The Objectives of the Scheme

- 4.29 The objectives of the scheme would be to:
- Maintain the current level of service and to carry out improvements.
 - Reduce journey times and journey time variability and improve resilience of the A465 and of the strategic South East Wales network.
 - Facilitate economic activity and accessibility.
 - Bypass congested towns and villages.
 - Enhance road safety and reduce casualties.
 - Construct a sustainable scheme with proper care for the environment.
 - Promote cycling, walking and healthy lifestyles, and
 - Minimise future maintenance and disruption of the highway.

The Engineering Details of the Scheme

- 4.30 A set of detailed plans and a detailed description of the scheme engineering can be seen at WG03 and WG03A.
- 4.31 The scheme would be 7.8 km long and would extend from just north of the Brynmawr roundabout to the Nant-y-Bwch junction at Tredegar. It would include 4.7 km of new off-line dual carriageway from near the summit point of the existing A465 to Dukestown cemetery at Tredegar. The remainder would be improved by on-line dualling of the 3-lane single carriageway.
- 4.32 From Brynmawr the dual carriageway would run northwest along the trace of the existing trunk road cutting into the hillside on its north side. A climbing lane would be provided along this steep length. It would be economically justifiable and would be contained within the land-take that would be needed for the scheme without such a lane (ID7, ID8, ID41).
- 4.33 To the south of Blaen-y-Cwm reservoir an east facing grade separated interchange would be formed between the proposed and existing trunk roads. That would facilitate access to and egress from Ebbw Vale. The eastbound link road from Ebbw Vale would be bridged over the proposed dual carriageway, whilst the westbound link road would diverge from the dual carriageway at ground level.
- 4.34 Thereafter the road would pass through Common Land on a low embankment between Blaen-y Cwm reservoir and the residential area of Rassau, before passing under the B4560 (Llangynidr Road) in a deep cutting. The B4560 would be bridged over the dual carriageway without connection to it. From the B4560 the dual carriageway would proceed westward and just north of the Rassau Football Club to cross on embankment about 25 metres above both Reservoir Road and the River Ebbw to the south of the Carno Reservoir.
- 4.35 Further west the road would flank the southern boundary of the Rassau Industrial Estate, passing under Alan Davies Way in cutting and across open farmland north of Hirgan Farm. From Alan Davies Way the road would arc to the south to pass south of Dukestown cemetery.
- 4.36 The Rassau Industrial Estate would be accessed from the east by a slip road and an at-grade roundabout. A grade-separated junction, located just west of the Estate and north of Hirgan Farm, would provide a connection to and from the west. Nearby the existing A465 would be converted to provide private means of access to premises, including that to Hirgan Farm.
- 4.37 From Dukestown cemetery to the western end of the scheme the dualling would occupy the line of the existing highway and would pass under the existing Nant-y-Bwch roundabout in order to tie into the recently dualled eastern end of section 4 of the improvement.
- 4.38 Three free-flow junctions would be provided at Rassau Industrial Estate (Rassau East), Ebbw Vale West (Rassau West) and at Nant-y-Bwch. A free flow partial interchange between the existing and proposed trunk road would be built at Garn Lydan to serve Ebbw Vale to and from the east. The junctions

and approaches would have road lighting, with all lanterns fully cut-off to reduce night glare.

- 4.39 Near Garn Lydan an extensive lay-by/ rest area/ viewpoint would be constructed off the westbound carriageway. This area would accommodate a 2.2 km long cycleway, which would run generally parallel to and south of the trunk road boundary to connect up with the public highway network to the east and west. An 800-metre length of cycleway would also be made along the de-trunked section of the A465 from Rassau roundabout to Crown Avenue.
- 4.40 Public rights of way and private means of access would be affected by the scheme with diversion routes and new accesses providing continuity.
- 4.41 Minor works would be carried out along lengths of the existing A465, which would be transferred to the Blaenau-Gwent County Borough Council. A reinstatement of the former right turn facility onto the detrunked length of the A465 at Llangynidr Road would be instigated following the opening of the scheme (ID30).
- 4.42 Throughout the length of the scheme the acute combination of difficult topography, development and existing infrastructure would mean that the engineering layout of the road would have a succession of features requiring Departures from Standards and relaxations in order to accommodate it within the landform, without the creation of a massive footprint for the road. The scheme has been subject to a Road Safety Audit and a Designer's response (ID28). All necessary departures from standards have been formally approved (ID 29).
- 4.43 The road would have twin 7.3 metre carriageways with 1 metre wide hard-strips on either side of the carriageway, a 2.5 metre wide verge beyond the strips and a 2.5 metre wide central reservation. In places the verge and central reservation would be widened to provide adequate forward visibility and space for barriers (WG03, WG03A, DD302, DD304).
- 4.44 Road surface run-off, including currently un-attenuated run-off from the existing carriageway, would discharge to pollution interceptors and thereafter to attenuation ponds. These would ensure a controlled rate of run-off to watercourses and protection of watercourses. The Environment Agency (Wales) has insisted upon all the attenuation ponds, with the exception of the pond at Chainage 28+000. There, seepage from the pond into the underlying aquifer would be a concern. No final decision has been made about the need for that attenuation pond. Verge drainage would be in the form of longitudinal grass swales with an underlying filter drain (ID18).
- 4.45 The existing A465 when de-trunked would be subject to modernisation, including works to improve cycling facilities. These works have been agreed with the Blaenau-Gwent CBC (ID30).

The differences between the 1999 Made Line Order and the draft Amendment Order

- 4.46 DD 513 sets out the detailed differences between the made Line Order and the draft Amendment Line Order. The amendments are summarised as:

- At Dukestown the horizontal geometry would have a different radius.
- At Beaufort Wells the Ebbw Vale west junction would be reconfigured.
- Through the Rassau Industrial Estate the alignment would be moved southwards away from the estate.
- At Carno the alignment would be moved southwards away from the proximity of the reservoir.
- At Garn Lydan slip roads and a lay-by would be introduced, and
- The original alignment would be moved southwards away from power lines.

The Environmental Statements for the Scheme (ES)

- 4.47 An ES for the entire widening between Abergavenny and Hirwaun was published in 1997. In order to accurately report the environmental effects that would arise from the design changes itemised immediately above a fresh ES was published in 2011. (DD20-DD37).
- 4.48 The effects of the scheme on the environment and the mitigation measures proposed to reduce its impact are set out in detail in the fresh ES (DD05-DD08). A non-technical summary of the ES is at DD17. The 2012 update of the ES, known as the Supplemental 2012 ES, updated matters of policy, ecological surveys, severance, landscape and water quality. Changes to traffic, noise and vibration guidance, set out in the Design Manual for Roads and Bridges (DMRB) after the publication of the main ES, are reported on in the Supplemental ES (DD43, DD44, DD46, DD49).
- 4.49 Both the fresh ES and the Supplemental ES have been prepared in accordance with EC Directive 85/337/EEC, as amended by Directive 97/11/EC and Directive 2003/35/EC and as applied by Section 105a of the Highways Act 1980. It has had regard to the Highways (Assessment of Environmental European Habitats) Regulations 1999, the Highways (Environmental Impact Assessment) Regulations 2007 and the Conservation of Habitats and Species Regulations 2010. These assessments were necessary to fulfil obligations set out in the Conservation of Habitats and Species Regulations 2010. These require the Welsh Government to carry out an Appropriate Assessment of the Implications for any European Site for Nature Conservation that would arise from the scheme should it proceed. The respective documents can be found at DD05-8 and at DD201, DD202, DD206, DD214, DD215 and DD218.
- 4.50 All Statutory Consultees commented on a scoping report during the preparation of the 2012 Supplemental ES. Responses were received from the following:
- Countryside Council for Wales.
 - Environment Agency Wales.
 - Glamorgan-Gwent Archaeological Trust.

- Cadw.
- Blaenau-Gwent County Borough Council, and
- Brecon Beacons National Park Authority.

4.51 These bodies, together with representatives of the Royal Society for the Protection of Birds, the Valleys Regeneration Park, the Campaign for the Protection of Rural Wales and others, form an Environmental Liaison Group that would continue to meet for about 5 years after the scheme was built.

4.52 Consultations on the fresh 2011 ES and later the 2012 Supplement to it took place with all Statutory Environmental Bodies and both general and specific topic discussions were held, in order to understand the impact that the scheme, together with the impacts from other committed projects, would have.

4.53 The Welsh Government published an Appropriate Environmental Impact Assessment Notice in respect of the scheme on 24 November 2010 (DD11, DD15).

The Appropriate Assessment of the Environmental Effect of the Scheme

4.54 A Statement to Inform Appropriate Assessment was prepared by the Welsh Government to enable Welsh Ministers to have regard to the potential implications of the scheme on the Usk Bat Sites SAC (DD11, DD15, DD 49). The following species types and habitats would be encountered in the SAC:

- Lesser Horseshoe Bat.
- Dry Heaths Degraded raised bogs.
- Blanket Bogs.
- Calcareous rocky slopes with chasmorphic vegetation.
- Caves, and
- Tilo-Acerion Forests.

4.55 The impact that the scheme would have on these has been assessed primarily because of air pollution. No works would be undertaken within the SAC but the road would be 700 metres from it and would affect an area used by bats from its eastern end to the Rassau Industrial Estate. To comply with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 extensive mitigation would be incorporated into the scheme, which would prevent an adverse effect on the Lesser Horseshoe Bat and on the other habitat features of the area (DD123, DD203, DD314, DD536).

4.56 The development of the ES and the appropriate mitigation measures has been subject to regular meetings between the team developing the scheme, the Countryside Council for Wales, the Blaenau-Gwent County Borough Council

and the Environment Agency Wales. These would continue.

Traffic and Capacity Justification (WG02, WG05)

- 4.57 Traffic predictions for both the existing road network and the proposed scheme were formed from counts and analysis based on roadside interviews, automatic, manual and video traffic surveys and journey time surveys in 2009 and 2010. Current flows on the A465 were in the order of 21,000-22,000 vehicles on an average day (vpd). This volume of traffic would grow to about 29,000 vpd by 2030. About 8% of current flows are heavy goods vehicles and that percentage would remain reasonably constant over time. From 2006 to 2010 A465 traffic growth, of about 10%, has outstripped growth on other Welsh trunk roads, as the effects of sections 1 and 4 of the A465 improvement draw more traffic into the corridor (ID16, DD505).
- 4.58 From the traffic count data collected a local traffic model was populated for the scheme. Details of the model and its testing are set out in the Local Model Validation Report and its February 2012 update. The traffic model validated satisfactorily (DD506, DD507, DD510).
- 4.59 Using national traffic growth factors future traffic flows were calculated to show that, whilst there were no significant current problems of capacity on the links between roundabouts, these would emerge by 2030. The current traffic predictions are similar to those established at the 1999 Inquiry but should the remaining sections of widening be constructed they would draw substantially more traffic into the corridor. A dual carriageway between Brynmawr and Tredegar would have sufficient capacity to cope with the enhanced traffic for the foreseeable future (WG05, WG05A, DD511, ID17, ID24).
- 4.60 No capacity or delay problems occur at present at the Nant-y-Bwch or Rassau West (Crown) roundabouts. There are small delays at the Ebbw Vale roundabout. By 2030 there would be significant peak hour queues at the Nant-y-Bwch and Ebbw Vale roundabouts and the single carriageway links in between the roundabouts would be unsatisfactorily loaded. With the scheme in place no delays would be experienced on the network and significant reductions in journey time would become evident between Brynmawr and Tredegar.

Collisions and Road Safety Justification (WG05)

- 4.61 Between 2004-8 there were 65 collisions on the A465, 44 of which were at cluster sites at the roundabouts or at the Llangynidr Road junction. The cost benefit analysis has shown that with the proposed scheme operational collisions between Brynmawr and Tredegar would reduce over a 60-year period from 888 to 573 (WGO5, WGO5A).

Cost and Economic Justification (WG02)

- 4.62 The scheme would cost in the order of £104m at November 2009 prices, inclusive of design and land costs. Within that figure an allowance of about

£16m has been included to cover risk and a further £7.1m for contingencies that may arise (Table 1 of WG02).

- 4.63 The Economic Assessment Report sets out the beneficial return of the scheme, when considered against the capital and maintenance costs (Benefits to Cost Ratio) (BCR). The discounted scheme cost would be in the order of £78.3m and the corresponding benefits that would accrue for the nation would be in the order of £101.8m, giving a BCR of about 1.30, which means that for every £1 of public money spent on the scheme it would reap £1.30 in public benefit over a period of 60 years. It would be a sound investment of public funds. Of the £57m of predicted user benefits, 72% would accrue to businesses because of the improved efficiency in the movement of freight and works traffic (DD508, DD512, DD517).
- 4.64 The above figures take account of traffic queues and delays during construction and maintenance works, both on the proposed road and on the existing A465, which, as a single carriageway, currently presents significant maintenance challenges and delays to traffic.
- 4.65 With wider community and business benefits taken into account the BCR for the scheme would increase to 1.52 (WG02, DD534).
- 4.66 The effect of the opening of the remaining sections of the A465 improvement would be to enhance the economic case for the scheme (section 3) and increase its BCR from 1.30 to 2.09, without the wider benefits being taken into account (WG02).
- 4.67 Funding for construction would be raised from the Welsh Government's Transport budget and has been earmarked for the budget years of 2012/13-2015/16 (WG01).
- 4.68 The scheme would be situated entirely within the economically deprived Heads of the Valleys Regeneration Area wherein less than 65% of the working age population is in employment. There are 5,610 business units employing 66,769 people in the area and improved roads would mean improved attractiveness for those businesses and potentially others. This type of attractiveness is recognised in a Department for Transport review of the importance of good transport on business location decisions. The scheme, which would be part of a wider economic development package for the area, would have a beneficial impact on the local labour market (DD519-DD521, WG92, ID14).

Construction Matters (WG04)

- 4.69 It is anticipated that phased construction would start in late 2012 and continue for two and a half years. For the on-line sections one existing lane would be removed from use and extensive traffic management measures incorporated into the construction.
- 4.70 Fencing and property surveys would be carried out early during the construction period, with the main earthworks continuing in the summer of 2013 alongside drainage work. The mainline pavement would be laid

progressively from late 2013. Drainage lagoons would be constructed early to act as silt traps and thereby protect watercourses from pollution. All local public rights of way would remain open during the construction period or be temporarily diverted.

- 4.71 The bulk earthworks design has been optimised to balance cut and fill volumes and consequently little import or export of earthworks material would be necessary. Contaminated materials would be disposed of in a licensed disposal facility. Stockpiling of material would be clear of sensitive areas. About 40,000 cu m of granular drainage material, 50,000 cu m of sub-base material and 50,000 cu m of blacktop material would be used. This import, together with concrete and other materials, would result in about 50,000 lorry movements equating to 82 lorry movements a day on public roads. The primary access roads would be the A467, A4048, A4046 and B4560.
- 4.72 The contract stipulated about 12% of the labour costs must be earmarked for new employees/entrant trainees. That equates to about 50 employees. In a deprived community that would bring an immediate and long-term social benefit.
- 4.73 All construction noise would be subject to control by the Blaenau-Gwent County Borough Council's Environmental Health Officer and would be monitored. Dust would be suppressed by water spraying, sweeping and construction vehicle control. A public liaison officer would be appointed and would be in attendance throughout to advise local residents and receive and register feedback or complaints. A constraints drawing would be produced to protect sensitive areas of vegetation during construction (DD210, DD221, DD536, DD537).
- 4.74 Working hours for normal site activity would be 7am to 7pm, finishing at 4.30pm on Saturdays. These, or any extension to them, would be agreed with the County Borough Council. Any blasting would be carefully controlled and the public informed in advance. The main site compound would be located at the Rassau Industrial Estate and the supplementary site compounds would be located along the trace of the construction.
- 4.75 Landscape planting would take place as early as possible and would be subject to a 5-year maintenance period, with the engineering subject to a 1-year maintenance period.
- 4.76 A Construction Management Plan and a Construction Environmental Management Plan would be produced. These would contractually dictate how the construction would proceed in accordance with the requirements identified in the ES. The workforce would be trained accordingly and an Environmental Clerk of Works would be appointed to supervise all environmentally sensitive operations. Topsoil stripping would be subject to archaeological supervision, and all earthworks would be carried out under ecological supervision, having regard to seasonal constraints (DD522).
- 4.77 A number of structures would require demolition and demolition of the Cemetery Road Bridge would necessitate a weekend closure of the A465.

Flooding, Water Pollution and Drainage Engineering (WG03)

- 4.78 The series of balancing ponds would be linked to the road drainage network using gravity drainage in order to restrict outfall flows to Greenfield run-off rates of discharge. Pollution control measures would apply to the off-line and on-line sections and the existing A465. The drainage has been designed for a storm intensity of 1 in 100 year, plus a 20% global warming allowance. No flooding or water quality issues would arise. The EA has confirmed that all attenuation ponds would be required, except for the pond that would be located near the River Clydach, which is under review by the EA. If that pond is judged to be redundant the CPO land take in that area would become surplus to requirements and the closure of two footpaths and the recreation of one would be unnecessary. I deal with this matter at paragraph 4.101 below.

Land Acquisition and Common Land Issues

- 4.79 About 116 ha of land are included in the Compulsory Purchase Order, of which 66 ha would be agricultural land and 46 ha woodland or non-agricultural. Much of Plot 1 of the Compulsory Purchase Order lies west of the scheme but the plot has been incorporated into the current draft Order in order to accommodate interests that were omitted from a former Order, which related to section 4 of the overall project. Four residential properties at Pant-y-Dwr, Tredegar and one barn would be demolished by the scheme.
- 4.80 The scheme would require the acquisition of 84,485 sq m of Common Land with 17,844 sq m returned for use by commoners after construction is completed. An area of 87,734 sq m would be included in the CPO as replacement Common Land. Routes of access to the exchange area would be across other areas of Common Land. The quality of the replacement land is not inferior to that which would be taken by the road. Powys County Council administers the register of Common Land interests on behalf of the Blaenau-Gwent County Borough Council and consultations have been undertaken with the County Council and with the Secretary to the Duke of Beaufort's Breconshire Estate Commoners Association about the effect that the scheme would have on Commoners interests. Both organisations are content with the proposals for replacement land (ID13, Appendix 4 to WG01C).

The Effects of the Scheme on Agriculture (WG09)

- 4.81 All of the 66 ha of agricultural land that would be affected by the scheme would be Agricultural Grade 5 - very poor quality. This would account for 57% of the total land to be acquired, with 43% being non-agricultural or urban in character. The impact on agriculture would therefore be of slight adverse significance.
- 4.82 Seven land-based businesses would be affected, in addition to those utilising the Common. Relative to the existing businesses none would be rendered unworkable as a result of this scheme providing the Construction Environmental Management Plan is adhered to, water supplies maintained and

proper reinstatement of land carried out after construction ends. That would be done (ID25).

- 4.83 The impact on Hirgan Farm would be severe with over half the land (6.7ha) lost to the scheme with most of the remaining land severed.
- 4.84 There would be a negligible impact on those whose stock graze the Common Land because the 3.5ha that would be affected only represents about 0.2% of the unrestricted Common area. There are 21 registered graziers with rights to the Common but only one currently exercises the rights. Two underpasses currently provide access to the Common one of which would be closed. A nearby full height underpass would remain open and a further full height underpass would be provided to link the severed area of the Common to the rest of it. The overall effect on the Common would be negligible.

The Effect of the Scheme on the Landscape (WG07, WG07A)

- 4.85 The Brecon Beacons National Park is the principal landscape designation affected by the scheme. The widened road would lie within the National Park for the limited length from its eastern end to the River Clydach. Beyond the River Clydach the scheme would flank the southern aspects of the operational Blaen-y-Cwm and Carno reservoirs, and cross a sensitive area, which is exposed to views from the National Park to the north. Thereafter the road scheme would enter open moorland through Trefil and Garn Lydan and run to the north of Beaufort Common. These areas are predominantly used for grazing but with areas of deciduous and coniferous woodland, heath and moor nearby. To the west it would run adjacent to the southern boundary of the imposing Rassau Industrial Estate from which it would proceed across pasture farmland to rejoin the A465 en route to the Nant-y Bwch roundabout (ID6).
- 4.86 In order to incorporate the scheme into the sensitive landscape widespread mitigation measures are proposed as follows:
- Broadleaved woodland planting would be restricted to valley sides.
 - Side slopes would be planted with vegetation similar to the area in which they would lie.
 - Important views would be maintained.
 - Mature trees that would be necessarily removed would be replaced nearby.
 - At Garn Lydan and Hirgan the earthworks would be graded out and returned to grazing.
 - Earth bunds would be used where practicable and in places these would be used as screening.
 - At Hirgan, stone walls would be constructed to abut existing walls. They would also be used in the proposed rest area. Local sandstone would clad the main structures.

- Road lighting would be restricted to junctions and their approaches and the lanterns would be fully cut-off to prevent glare at night.
- Tree and shrub planting and woodland would be managed to reflect existing features of the landscape.
- At chainage 27+550, and through Rassau, woodlands, amenity grassland and hedging would be deployed.
- Where appropriate off-site planting would be agreed with landowners.
- Near Ebbw Vale junction (interchange) the earthworks would be shaped sensitively to reduce the exposure of vehicles from the National Park.

4.87 With these measures in place the scheme would cause an overall slight adverse effect on the landscape, but with local enhancements to it. There would be short-term visual impacts during construction of a major adverse nature on 69 dwellings and a substantial adverse effect on 37 properties. By 2030 there would remain significant visual impacts on Horgan Farm, Gan Wen (Llangynidr Road) and a moderate impact on Wells Farm and Carno Houses (2 No). Four properties would be subject to a minor adverse impact. Properties at Nant-y-Bwch and Waundeg would benefit visually from the scheme. Bridleway 339/59/1 would be subject to a permanent adverse impact. There would only be limited or temporary impacts on other footpaths and public rights of way (DD219).

4.88 Overall the scheme would be acceptable in landscape terms with no widespread severe impacts (DD317).

Noise and Vibration arising from the scheme (WG08)

4.89 The scheme would introduce traffic noise at Garn Lydan and Rassau, whilst a reduction in traffic on parts of the existing road would result in reduced traffic noise elsewhere. In the year of opening 2015, without mitigation being built into the scheme, there would be 291 dwellings subject to increases of 3dB(A) or more. Of these, 141 properties would be subject to an increase of 5dB(A) or more. At the same time 425 dwellings would be subject to a reduction in noise levels of 3dB(A) or greater and of these, 152 properties would have decreases of 5dB(A) or greater.

4.90 With the incorporation of noise barriers and earth bunding at sensitive locations 122 properties would be subject to increases greater than 3dB(A) or more, some 169 fewer than with an unmitigated scheme. Of these 41 would be subjected to traffic noise increases of 5dB(A) or more, some 100 fewer dwellings than with the no mitigation scenario. With mitigation 461 dwellings would be subject to decrease of 3dB(A) or more and of those 162 decreases would be 5dB(A) or more. The scheme would therefore be beneficial in noise terms and the noise attenuation and mitigation measures fully justifiable.

4.91 There would be temporary but significant construction noise, which would arise from site clearance, earthworks and the building of structures.

Ecology, Habitat and Cultural Heritage Issues (WG06, WG06A)

- 4.92 The environmental impacts of the scheme are set out in the 2011 ES and the 2012 Supplemental ES.
- 4.93 There would be a negligible effect on the Usk Bat Sites SAC and the Cwm Clydach Woodlands SAC. The Mynydd Llangatwg SSSI would be susceptible to air pollution, but not to any significant degree given that only 0.5% of the 727 ha of the SSSI would be affected.
- 4.94 The scheme would have a negligible impact upon cultural heritage in an area that has already been subjected to widespread industrial disturbance.
- 4.95 Some habitat would be destroyed by the scheme but new habitat would be created, approximately in a ratio of 2:1. Long-term management of these new habitat areas would follow the construction of the scheme. Water quality in streams and rivers would improve because of run-off pollution control measures. No such control measures exist on the existing A465.
- 4.96 Widespread measures would be incorporated into the scheme to aid bats, amphibians, birds, potentially otters, grassland and woodland cultivation (DD15, DD218, DD307, DD314).

The Effect of the Scheme on Air Quality (WG10, WG10A)

- 4.97 The main pollutants associated with road transport are nitrogen dioxide and fine particle matter. Air quality limit values and objectives are set at a European and National level. The Air Quality Standards (Wales) Regulations 2010 transpose the European Directive 2008/50/EC into National regulation and the UK Air Quality Strategy was published in July 2007 (DD126, DD221).
- 4.98 The impact that the scheme would have in terms of air quality has been assessed from survey data gathered by the Blaenau Gwent County Borough Council from 17 sites in November 2010-December 2011 in the area of the scheme. The surveys and analysis revealed that:
- The local nitrogen dioxide concentration was well below the annual mean objective of 40 µg/m³ and at background sites was very low (less than 30% of the objective value). This finding is consistent with those of Defra in its report on UK wide air quality.
 - The air quality within the area is well within the relevant air quality standard at present with the exception of nitrogen concentrations in the SSSI area.
 - With improvements in vehicle and other industrial technology nitrogen concentrations would decrease, although the scheme would cause a slight increase over the levels and that would otherwise be achieved by significant technology gains. By 2015 nitrogen concentrations are expected to meet relevant guideline standards. By 2030 levels would still be well below air quality objective guideline levels for nitrogen dioxide

concentrations at all reception points.

- There are 3 SSSIs that would be affected by the scheme: at Mynydd Llangatwg, Cwm Clydach and Brynmawr. The background nitrogen dioxide deposition rates at Cwm Clydach already exceed critical load levels for beech woodland. The critical load level for the raised and blanket bogs and the calcareous grassland at Mynydd Llangatwg is also exceeded in its current situation.
- Whilst some reductions are predicted because of national trends these harmful levels of pollution would remain in future years with or without the scheme. There are also current excess levels of pollution on the dry heath at Mynydd Llangatwg, but these levels would become acceptable in future years.
- With the scheme in place there would be a small increase in concentrations of pollutants at Mynydd Llangatwg and Cwm Clydach relative to the "do nothing" situation, although overall levels of pollution relative to the current position would decrease. The scheme induced increases would be less than 1% of the critical load, which the Countryside Council for Wales defines as a significant impact.
- With the scheme in place air quality along the existing A465, which has more nearby housing compared to the area around the proposed route, would improve. The scheme would result in an overall reduction in pollution exposure to residents in the Heads of the Valleys area.

Modifications to the Orders sought by The Welsh Government or recommended by the Inspector

- 4.99 The Welsh Government, following agreement with landowners and objectors and discussion with interested parties, proposes modifications to the Side Roads and Compulsory Purchase Orders. These modifications are set out in detail at Annex C of this report. Some are necessary to correct minor administrative errors, others to accommodate objector requests. Details of the proposed Modifications and their justification are set out at ID32, ID33 and ID34. All modifications that require written acceptance have been formally confirmed (ID32, ID45). Minor typographical corrections have been requested for the Amendment (Line) Order.
- 4.100 Modifications to the Compulsory Purchase Order and Side Roads Order, recommended by me, are also set out at Annex C.
- 4.101 During the Inquiry it emerged that there was no confirmed need (from the EA) to construct the attenuation pond at Chainage 28+000. If that remains the position the works associated with the pond could be removed from the scheme. That would relinquish land that is currently included in the draft CPO-Plots 5/2z and 5/2aa, both in the ownership of the Blaenau-Gwent County Borough Council. Public footpaths 333/26/1 and 332/52/2 would be stopped up for the construction of the attenuation pond. Those footpaths could remain operational, and replacement footpath identified as 5/B on the Side Roads Order Site Plan 5 need not be constructed. At the end of the Inquiry no

objections, in respect of the modifications to either the CPO or the Side Roads Order, had been made.

5 THE CASE FOR THE SUPPORTERS

The material points were:

Supporter who attended the Inquiry

The Blaenau-Gwent County Borough Council (S3)

- 5.1 The Council is fully supportive of the strategic aims and objectives of the scheme and supports the Line and Side Roads Orders. The scheme would robustly help to deliver the aims of the Council's adopted UDP and emerging LDP. Ebbw Vale's recent designation as an Enterprise Zone would be enhanced by the scheme because the existing A465 is seen as a restraint on local regeneration. The Council's regeneration strategy identifies the A465 as its most important road. Its upgrading is essential if Blaenau-Gwent is to strengthen its competitive edge. The scheme would improve the Council's Corporate Improvement Plan by improving connectivity and reducing journey times. The proposed de-trunking of the existing A465 would remove a perceived barrier that causes severance of the local communities. The de-trunked length of the A465 would be retained as an important local route and would be modified to allow the introduction of a cycle lane, which would connect to the existing cycle network (ID30, DD523, DD524).
- 5.2 The scheme would reduce noise and disturbance and improve air quality for residents. The Council supports the proposed rest area. It would be compatible with the Valleys Regional Park initiative and use of the Ebbw Fach Trail. All environmental and safety concerns have been properly and effectively addressed during the preparation of the scheme. The Council is satisfied that the ES accurately identifies the main environmental impacts that the scheme would cause and the measures that would be necessary to remedy, avoid and reduce those impacts.

Written Supporters not attending the Inquiry

The Brynmawr Town Council (S2) and The Tredegar Town Council (S6)

- 5.3 Both Councils support the scheme to dual the A465, which is seen as the vital road artery of the area and one that needs safety improvements. The dualling would boost tourism and the regeneration of the area.

The Regeneration Directorate of the Welsh Government (S8) and The Industrial Communities Alliance Wales (S5)

- 5.4 The scheme is crucial in terms of regeneration of the former coal mining and steel making area, which is firmly at the bottom of the UK's prosperity league. About 28% of the workforce is in manufacturing (about double the average for

the UK). Manufacturing needs good road communications and the scheme would provide that (DD519).

The Road Haulage Association (S7)

- 5.5 The scheme would assist the safe and efficient movement of goods with minimal impact on the environment. It would remove driver frustration, improve safety at roundabouts and enhance journey reliability.

Mr Roger Leadbeter (S1)

- 5.6 The scheme, including the important grade-separated junctions, would provide safety and economic development benefits. The Llangynidr Road junction would require careful design to reduce its accident potential should the re-establishment of a right-turn facility proceed.

SUSTRANS (S4, also R1)

- 5.7 The cycling elements of the scheme, which would complement the development of National Cycle Network Route 46, are broadly supported.

6 THE CASE FOR THE OBJECTORS

After the end of the objection period but before the closure of the Inquiry, discussions took place between the parties leading to agreements being reached between the Welsh Government and Objectors. These resulted in the formal withdrawal of some of the points of objection that I have, for completeness, recorded immediately below. Where agreements were reached before the close of the Inquiry I have acknowledged those agreements in Section 8 of this Report- "Response by the Welsh Government to Objectors and those making Representations".

The material points were:

Mr D M Evans (O1)

- 6.1 The proposed road scheme should be substituted by a rail-based alternative for east-west traffic.
- 6.2 Funds that are earmarked for the proposed viewing and rest area at Garn Lydan should be used for other purposes because few people would use the rest area.
- 6.3 A redesign of the Ebbw Vale West junction should allow the existing access into the Rassau Industrial Estate to continue as at present.

- 6.4 Should the scheme proceed, the absence of a junction between the new A465 and the B4560 Llangynidr Road would be a major drawback because that road is the main commuter route between Blaenau-Gwent and the Usk Valley. Incorporation of such a junction would reduce urban traffic flows on the B4560 between Garn Lydan and Beaufort and would enable the inconvenient traffic control measures on the urban length of the B4560 at Garn Lydan to be removed by the Blaenau-Gwent Council. The junction should be grade-separated and provide for all turning movements between the trunk road and the B4560. (This proposal is known as Alternative 1 and is described at paragraph 9.1 below). With the junction in place the inconvenient traffic calming measures on the B4560 at Garn Lydan would become redundant and should be removed from the road surface.
- 6.5 The severance of the Beaufort Wells to Trefil bridleway (the former tram road) is unacceptable. Alternative routing should be via an over-bridge, or alternatively, by a more westerly route engineered to pass beneath the main-line road over-bridge at its eastern end, as it would approach the proposed roundabout, with an extension of the bridleway from there northwards and southwards. (These twin options are known as Alternative 2 and are dealt with at paragraphs 9.24- 9.26 below).

Mr Carl Williams (O2)

- 6.6 Mr Williams lives close to the Nant-y-bwch roundabout at Tredegar and was concerned about the impact of noise which would arise from the construction and operation of the scheme, improvement to the roundabout and access to his property at 4 Glen View.

AB Cardinal Packaging (O3)

- 6.7 The concerns of the Company related to the proximity of the scheme to the Company's land at the Rassau Industrial Estate because the proposals would have a detrimental impact on the operation of the business. These concerns could be avoided if the line of the road was moved away from the property.

Latham Properties (Access 465) (O4)

- 6.8 The scheme would adversely affect the access and landscaping associated with the property. A baseline survey of the property should be carried out at public cost before work commences with a follow up survey upon completion. An independent analysis of the scheme should also be carried out at public cost.

Dwr Cymru (O5)

- 6.9 The scheme may cause damage to reservoirs, water mains and public sewers and could cause difficulties of access to them and obstruct operational practice.

Mr Shailesh Verma (Ambay Service Station) (O6)

- 6.10 The objection was to all 3 of the draft Orders. The case for the scheme, some 14 years after the original Public Inquiry cannot now be seen as compelling or economically justifiable in the public interest. There is no certainty of increase in traffic flow and therefore the scheme could be premature. In a time of reduced economic growth it would be inappropriate to apply standard rates of traffic growth. Improved roads by their nature cause traffic growth and traffic problems. Traffic calming alone could reduce accidents. There was inadequate justification for the proposed grade separation at Nant-y-bwch. The scheme would have a devastating effect on Mr Verma's business, as would the loss of land if the CPO is made. There is no statutory duty on the Minister to proceed with this scheme. The proposals for the A4048 will have a significant impact on the business and access arrangements need to cater for safe entry and exit from the filling station.

First Investments Unit 21 (O7)

- 6.11 The land included in Plots 2/15 and 2/15a are important to the viability of the unit. The loss of land included in plots 3/6 and 3/6a of the CPO would frustrate future development of the land.

Tai Calon Community Housing (O8)

- 6.12 The scheme would remove the front gardens of 6, 7 and 8 Pant-y-Dwr (CPO plots 1/4 and 1/4a). That would destroy the peaceful enjoyment of these properties, which should be purchased by the Welsh Government.

Mr Andrew Cross (O9)

- 6.13 With the scheme operational all traffic from Merthyr bound for Ebbw Vale would be directed along Bryn Serth Road. That would cause severe problems for traffic emanating from the Nant-y-croft junction. Traffic approaching the Cemetery Road roundabout already tails back beyond the senior comprehensive school. Increasing the volume of traffic along the route would exacerbate the problem thereby causing a backup of traffic, chaos and danger.

Mr and Mrs Davies (Tyntyla) (O10)

- 6.14 Mr and Mrs Davies own Hiranfach Farm, Tredegar. The CPO is defective in terms of two easement plots that do not adequately recognise Mr and Mrs Davies' rights, or their interest in two watercourses. More land than necessary is included in the CPO and proposed access arrangements are inadequate. The impact of the scheme on the property, cesspit and drainage has not been dealt with. Attenuation of the visual and noise impacts of the road would be

essential in order to protect enjoyment of the dwelling.

Mr Paul and Mrs Susan Jones (Hirgan Farm) (O11)

- 6.15 The proposed CPO would decimate the farm, which is currently only 11.3ha (29ac) with associated Common Land rights. That would reduce the farm to half its size with a further reduction of Common Land rights that would be accessed by an unsuitable access and a long detour.
- 6.16 There would be no adequate access provided to the land severed by the road to the north. An underpass should be provided or access provided from the new bridge from Crown Avenue. The access along the bridleway (332/59/1) must be made suitable for the passage of stock and farm vehicles. No proper cost analysis of access alternatives has been undertaken. An access directly off the proposed Crown Roundabout would be preferable to the overly tight and apparently unworkable access proposed through Plot 2/8k and which would serve the farmstead.
- 6.17 Proper consideration has not been given to the siting of the Lapwing mitigation site. Plot 2/8i has been earmarked but this should be removed in favour of land already in the Welsh Government's ownership (The Wells Farm). Similarly Plot 2/8g, which has been earmarked for tree planting, should continue in agricultural use and the landscaping moved onto Wells Farm land. Land already owned by the Welsh Government should be offered to Mr and Mrs Jones in exchange for that which would be taken by the making of the CPO.

The Countryside Council for Wales (CCW) (O12)

- 6.18 The CCW had concerns in relation to the ES and the impact, which the scheme would have on the natural environment. In particular the scheme, over its off - line length, would cause loss of habitat, including woodland, heath and moor, coniferous plantation, scrub and trees. Mitigatory land must be made available through the CPO process. Emphasis needs to be placed on long-term management of grassland habitats.
- 6.19 The surveys undertaken by the Welsh Government of the effect of the scheme on the Usk Bats Sites SAC are proportionate to the effect that the scheme would impose on the natural environment. The area through which the scheme would run is not particularly important for bat foraging. The level of usage by bats appears to be low but it cannot be ruled out and mitigation is needed to offset potential harm, in accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010. Road kill mortalities could represent a risk to bats and the potential problem should be studied in detail and long term security of the proposed mitigation measures guaranteed. The proposed planting near the Beaufort Hills cattle creep should be removed because the underpass would be closed by the scheme and over road flight would threaten bats that were attracted to, familiar with or residual in the area. A similar problem would occur near Rassau Industrial Estate where broadleaf woodland is proposed either side of the road because that would offer good bat foraging. The design should be refined to reflect these concerns.

6.20 The ES does not currently demonstrate the degree to which the special qualities and statutory purposes of the Brecon Beacons National Park are affected or the effects mitigated. Noise and visual impact are a concern. The impact on air quality from Section 3 of the Heads of the Valleys project is not significant but in combination with other impacts may become significant.

Mrs Maureen Lloyd- Bainbridge (O14)

6.21 Mrs Lloyd-Bainbridge has not been in receipt of early correspondence about details of the scheme. It now emerges that the scheme details in the vicinity of the Nant-y-Bwch junction have changed and are different from when she purchased her property at Pant-y-Dwr. These fresh proposals only came to her attention recently because she was not contacted by the Welsh Government during the public consultation exercise or subsequently.

7 THE CASE FOR THOSE MAKING REPRESENTATIONS

The material points were:

CTC (R1)

7.1 The routes of proposed cycle paths are well defined but they should have sealed surfaces to avoid deterioration and encourage use. The existing 3 lane A465 should be remarked to give room for safe cycling and pedestrian use. Overtaking lanes should not be retained. These measures would render the scheme cycle friendly and meet the policy objective of promoting cycling.

Everything Everywhere (R2)

7.2 The Company's mast seems to be unaffected by the scheme but access would be adversely affected. It is imperative that the vehicular access to the property remains operational, including during the construction period. *The*

Tredegar Town Council (R3, also S6)*

** Following discussions with the Welsh Government the Council confirmed its support for the scheme, a matter on which I have reported at paragraph 5.3 above.*

7.3 Because the Tredegar roundabout would be higher than the existing one there would be light pollution affecting Station Road. Properties there should be shielded from it. Landscaping should be maintained throughout the year and a Tredegar gateway feature incorporated into the scheme. A direct link from the scheme to the Tafarnaubach Industrial Estate would be welcomed.

Royal Society for the Protection of Birds (R4)

- 7.4 The RSPB has a membership of over 1 million. The area is important for the endangered Lapwing and a Lapwing Habitat Management Plan should be developed and agreed with the RSPB and Blaenau-Gwent Council before construction starts. The Management Plan should include the whole of Rhyd-y-Blew, the Hirgan fields and the adjacent area and proper financing and ongoing maintenance policies considered. These areas are considered to be of national value for the Lapwing.

The Environment Agency (Wales) (R5)

- 7.5 All earlier environmental matters of major concern have been satisfactorily addressed by the Welsh Government and addressed in the ES. These matters must be incorporated into a Construction Environmental Management Plan (CEMP) and the contractor bound by it. The scheme should be engineered to prevent flooding, particularly because the scheme would encroach within the flood plain near the Sirhowy River crossing, and its design would need to cater for a spillway from the Carno reservoir. Surface water run off should be attenuated to ensure that Greenfield run-off rates would not be exceeded. Works that would encroach within 7 metres of the top of a bank to a main river would require consent from EA under the terms of the Water Resources Act 1991 and Land Drainage Bylaws.
- 7.6 During construction there would be a significant risk of pollution. That needs to be addressed in the CEMP and stringent measures are needed to manage the risk in the "Source Protection Zone" between Garn Lydan and Brynmawr roundabouts. These must be incorporated into the design of the works. The Sirhowy River needs improving in terms of water quality and any discharge that would negate this would be resisted by the EA. The proposals for dewatering the Nant-y-Bwch and Rassau West cuttings would require an abstraction licence in due course and the CEMP should address the control and mitigation of contaminated water that may arise when treating former mine workings.
- 7.7 If practicable, all watercourses should have clear span bridges rather than culverts, but where not the culverts should be oversized and provide for otters and mammals. Soft, rather than hard, engineering should be provided and the channels over-deepened to facilitate easy passage for fish and other biota and invertebrates. About 16 ha of grassland habitat would be lost to the footprint of the scheme and replacement land in a ratio of 2:1 should be incorporated in the CPO. The scheme generally should be designed to cater for the potential of future otter movements, including fencing either side of crossing points. Invasive plants should be dealt with on site, in accordance with National Park guidance.

The Brecon Beacons National Park Authority (O13 redefined as R6)

Following their attendance at the Pre-Inquiry Meeting the Authority formally requested that their objection be re-classified as a representation in response to the draft Orders.

- 7.8 Road expansion would lead to an increase in emissions as a consequence of attracting additional vehicles and new industrial development alongside. The scheme may frustrate the aim of achieving a 3% year-on-year reduction in CO₂ emissions. That would be contrary to the Welsh Government One World: One Planet policy. The scheme would lead to an increase of 1.75% in CO₂ emissions and therefore would be contrary to the Welsh Government's own definition of sustainability. The scheme would not be sustainable. A low-key scheme should be considered in place of dualling.
- 7.9 The meteorological stations at Rassau would be a more appropriate location for air quality monitoring. Local background concentrations for particulate and gaseous emissions already exceed critical concentrations for nature. Even if the scheme would not significantly increase concentrations it and other developments all contribute. The Welsh Government has set an objective for 95% of SACs and SSSIs to be in favourable ecological conditions by 2012 and 2015 respectively. That is not achievable whilst background pollution levels are allowed to remain above critical thresholds and the aims would be further hampered if the scheme goes ahead. The National Transport Plan should be reviewed to recognise the incompatibility of building roads where background pollution levels are too high.
- 7.10 Local Plans and Policies have not been sufficiently addressed in the 2011 ES.

8 THE WELSH GOVERNMENT'S RESPONSE TO OBJECTIONS AND REPRESENTATIONS

The material points were:

- 8.1 After concluding discussions and agreements, the following objectors formally withdrew their objections to the draft Orders: Mr Carl Williams (OB2), AB Cardinal Packaging (OB3), Latham Properties (OB4), Dwr Cymru (OB5), Tai Calon (OB8), Mr Andrew Cross (OB9) and The Countryside Council for Wales (CCW) (OB12). Accordingly, the Welsh Government offered no rebuttal evidence to the Inquiry in respect of the withdrawn objections.
- 8.2 Before the end of the Inquiry all representations were comprehensively addressed in correspondence. This led to all but one of the representations being satisfied. The Welsh Government offered no rebuttal evidence in respect of those satisfied representations.
- 8.3 Further objections were withdrawn subject to the draft Orders being modified. These conditional withdrawals were from Mr Verma (OB6), First Investments Ltd (OB7) and Mr and Mrs W H Davies (OB10). No rebuttal evidence was submitted to the Inquiry in respect of these objections but the agreed

modifications are recorded at Annex C of this report and at ID34 and ID35.

- 8.4 The objections remaining at the start of the Inquiry were those from Mr Martin Evans (OB1), Mr and Mrs Paul Jones of Horgan Farm (OB11) and Mrs Maureen Lloyd-Bainbridge (OB14). The Welsh Government's responses to these are set out below, as is a response in respect of the reclassified objection (representation) from the Brecon Beacons National Park (BBNP).

Mr Martin Evans (OB1) (Reb1)

- 8.5 A number of points of objection were withdrawn by Mr Evans before the start of the Inquiry. Of those that remain, the proposed viewing area would be promoted to highlight to visitors the highest point on the Heads of the Valleys Road. It would provide a rest and recreational area for travellers and locals and a good standard of lay-by facility. The earthworks associated with it would be needed to shape the scheme into the landscape and visually screen properties along the Llangynidr Road. The area would include an ecologically beneficial habitat and an attenuation pond. The creation of the rest area would support local policy initiatives for the Heads of the Valleys area and the Valleys Regional Park initiative. It would also facilitate an opportunity for the BBNP Authority's public education initiative (DD311).
- 8.6 The removal of the traffic management carriageway features at Rassau is entirely a matter for the Blaenau-Gwent County Borough Council and would not depend on the Orders before the Inquiry.
- 8.7 The proposals in respect of Alternatives 1 and 2 are dealt with at Section 9 of the Report.

Mr Paul and Mrs Susan Jones of Horgan Farm (OB11) (Reb2)

- 8.8 It is accepted that the scheme would have a severe impact on the farm. It would take 6.7 ha from the 11.3 ha holding but the farm could continue the business of grazing a similar number of horses to those currently kept. It is accepted that farming practise would need to change, including the need to purchase hay instead of making it and using vehicles to transport horses to the Common land instead of walking them. It is also accepted that land would be severed from the farmstead. A connecting underpass would be practicable but, at about 80-90 metres in length, would cost in the range £150,000-£200,000. The value of the severed land has been assessed at only £27,000. The underpass could not be justifiable. An alternative 3 metre wide hardened surface access has been included in the Side Roads Order and would be suitable for farm traffic. The inconveniences that would be imposed on the running of Horgan Farm would be matters for compensation.
- 8.9 The proposed access to the farmstead, along the stopped-up length of the existing A465, would provide a better standard of access than the existing one. It would avoid unnecessary loss of farmland and would be shorter than the existing private means of access. A direct access from the proposed roundabout would result in the loss of agricultural land and excavation into the

hillside in order to provide acceptable gradients. The addition of a fifth arm onto the roundabout would be undesirable in terms of highway standards and would lead to confusion for drivers.

- 8.10 The Welsh Government has a statutory obligation to mitigate the impact upon the Lapwing but the site at the Government owned Wells Farm would be insufficient in area. The portions of land, at both Wells Farm and Hirgan Farm, which have been earmarked for use by the Lapwing, are contiguous and therefore suitable for such purposes. To ensure that the area earmarked for mitigation is suitably managed the Hirgan Farm portion has been included in the draft CPO. The proposal has been accepted by the CCW.
- 8.11 Plot 2/8g is needed to landscape-screen the views of the scheme from properties at Beaufort Wells. A strip about 20 metres wide (in Plot 2/8g) from the top of the roundabout earthworks would be needed. The land to the north, owned by the Welsh Government and further from the roundabout, would not provide effective screening. The rest of the field would be taken in the CPO to prevent the remnant area of severed land becoming a threat to the Site of Interest for Nature Conservation (SINC) in the adjacent field. That is regarded as best practice in situations where small areas of fields become remnants of larger ones that are, in part, needed for highway landscaping. Access to the severed area from the realigned Alan Davies Way would be dangerous and undesirable and an alternative access from Beaufort Wells /Wells Farm, whilst practicable, would require the loss of a similar area to that being accessed and a reduction in the area of the SINC grassland mosaic that forms part of the Hirgan Fields SINC. The Welsh Government has a policy of selling excess land on the open market. It is not accepted practice to grant land to adjoining owners in lieu of compensation.

Mrs Maureen Lloyd-Bainbridge (OB14) (Reb3)

- 8.12 On behalf of the Welsh Government the contractor's designers Arup wrote to Mrs Lloyd-Bainbridge on 15th April 2011 describing the proposals near Nant-y - Bwch roundabout near Pant-y-Dwr. A meeting took place on site on 8th March 2012 at which the local proposals were described in detail to Mrs Lloyd-Bainbridge. A copy of the Scheme Assessment Report and the Non Technical Summary of the ES were posted at 9 Pant-y-Dwr in September 2011. The vehicular and pedestrian access to 9 Pant-y-Dwr would remain generally as at present.

Brecon Beacons National Park Authority (R 6, formerly an objection) (Reb 4)

- 8.13 The BBNP Authority were concerned that:
- The scheme would not conform to Policy aspirations.
 - Air quality would be harmful to vegetation.
 - The Landscape of the National Park could be adversely affected.

- Nature conservation must be addressed in mitigation.

- 8.14 Policy is not a matter for debate at a Local Public Inquiry, except for insofar as there is an issue as to the conformity with or delivery of relevant policy in the implementation of a scheme. The conformity of the scheme with a wide range of national and local policies has been set out at the Inquiry and in the evidence-in chief. Following earlier concerns by the BBNPA a review of the inter-relationship of policies with the scheme was covered in the Supplemental ES. There has been no adverse comment on that Supplemental ES.
- 8.15 The scheme is totally consistent with, and an integral part of, the A465 Abergavenny to Hirwaun road widening project on which the Secretary of State made the Line Order in its entirety in 1999. The BBNPA supported that overall scheme at the 1999 Inquiry (reference paragraph 719 of the Inspector's report (DD041) and paragraph 17 of the Decision Letter (DD040) issued by the Welsh Office) and recognised it in BBNP policy documents, which refer to the acceptability of future schemes and their protection (DD525-DD527).
- 8.16 Consistency of standards between the various sections of the entire project would be essential for an efficient strategic trunk road. Such standards could not be met by simply applying local safety schemes and traffic calming to any one of the sections. The dualling of the remaining sections of the A465 forms part of the National Transport Plan (NTP) published in April 2010 (WG01, DD104).
- 8.17 This Plan was developed in close liaison with the development of the Climate Change Strategy, which reflects some of the key interventions within the NTP that would help to deliver emissions reductions. A Strategic Environmental Assessment aimed at integrating environmental considerations into the planning and decision-making process was undertaken at the time of the development of the NTP, as was a Habitats Regulations Assessment (DD40, DD41, DD524- DD527).
- 8.18 The NTP sets out how the development of a more integrated transport system would contribute to the reduction of emissions alongside the need to support sustainable economic development and social inclusion. With the Welsh Government's policies for transport there will be an overall reduction in emissions, but it is recognised that not every single transport scheme can reduce carbon emissions. For major trunk road development there would inevitably be a need to achieve a balance between the competing demands of various policies. The development of the scheme has recognised and addressed, where practicable, these competing demands (WG01).
- 8.19 The scheme has been assessed in accordance with the DMRB, which is clear on what developments should be taken into account during scheme development. Other developments are not part of the statutory process for this scheme. They should be considered within the context of the Welsh Government's Spatial Plan and the Blaenau-Gwent County Borough Council UDP.
- 8.20 In terms of air quality the Sennybridge Meteorological Station was used because of data quality assurance. Sennybridge could be relied upon whereas

other more local stations could not provide the necessary quality assurances (WG10).

8.21 An analysis of the data, and of the effect of the scheme, has concluded that:

- At 150m from the road the influence of vehicle emissions would be negligible. There would be no difference in the air quality with or without the scheme at a distance of 200m from it. The vast majority (99.5%) of the Mynydd Llangattoch SSSI would be well over 200m from the road.
- There would be a very small increase in nitrogen deposition resulting from the scheme on the Cwm Clydach Woodlands SAC. By 2030, there would be no difference between the “do minimum” and “do something” scenarios. The 2015 increases would be insignificant. The Countryside Council for Wales, which is the Statutory Authority for nature conservation in Wales, accepted that there would be no unacceptable impact on Cwm Clydach Woodlands and the Council required no mitigatory action there.
- Air quality impacts during construction would be temporary. The Construction Environmental Management Plan would control dust and other site works emissions (WG10).

8.22 In 2012 a review of the scheme was undertaken having regard to the landscape and to the local Plan, UDP, LDP and National Park Management Plan. This was reported in the 2012 Supplemental ES. As a consequence landscape mitigatory proposals have been built into the scheme from Blaen-y-Cwm reservoir to the proposed Llangynidr cutting (WG07, WG07A).

8.23 Replacement grassland and woodland habitat in the order of 2:1 would be provided by the scheme. The longer-term management of those areas would remain with the Welsh Government. The CCW have accepted such an arrangement. No landscaping objection to the proposals in the Supplemental ES has been received (WG06).

9 THE ALTERNATIVES TO THE DRAFT ORDERS

Two objectors' alternatives were advanced and published locally by the Welsh Government before the commencement of the Inquiry. Alternative 1 attracted significant counter objections. Details of both alternatives are set out at OB1 and ID 51.

The material points were:

Alternative 1

The Proposal

9.1 Details of the alternative are set out in the published document, “A465 Dualling Section 3 Brynmawr to Tredegar Objectors Alternative Proposals March 2012”. The alternative would provide an additional grade separated junction between the dual carriageway of the scheme and B4560 Llangynidr

Road to the north of the Garn Lydan. The junction, with slip roads either side of the B4560, would provide for movement between the A465 and B4560 in all directions (ID51).

Rebuttal of Alternative 1 by the Welsh Government

- 9.2 This alternative would cost £3.4 million. It would improve the cost benefit analysis of the scheme from 1.30 to 1.41. The BCR for the alternative itself is about 4. The alternative is therefore cost effective.
- 9.3 The Alternative would increase 2015 traffic flows on the B4560 mountain road between Garn Lydan and Llangynidr by 160 vpd (6%). It would substantially reduce traffic by about 900 vpd on the B4560 where it passes through the built up area of Garn Lydan, thereby being beneficial to residents in terms of safety, noise, pollution and severance. The 2015 levels of traffic on the B4560 would be in the order of 2,989 vpd.
- 9.4 The Alternative would require about 3.4ha of grassland, of which 3.1ha would be Common Land. The Alternative would meet only about half of the scheme's objectives. The landscape of the National Park would be adversely affected, principally because of road lighting on the approaches to the junction but it is accepted that the lanterns would be fully cut-off with limited glare. The alternative would need about 320m of lighting to comply with standards. That length could be reduced to about 105m should the 30mph limit be extended northwards from Garn Lydan. Well-used recreational land at Garn Lydan would be destroyed.
- 9.5 Some additional widening of the trunk road would be needed to provide adequate stopping sight distances. Should the alternative be incorporated into the scheme there would be a gap of only 30m between the merging lane from the Rest Area and the divergence for the junction. Standards would require 450m. Avoidance of this substandard point of conflict by redesigning the scheme would cause a significant impact on nearby residential property and the necessary alterations would delay the scheme and its economic benefits by about 11 months.
- 9.6 The junction strategy for the scheme is to provide links to strategic roads only. The B4560 is not a strategic road. The incorporation of such a junction into the trunk road would detract from the trunk road status of the A465 and may discourage long-distance users.

The Case for the Counter-Objectors to Alternative 1

The material points were:

Blaenau-Gwent County Borough Council (CO9)

- 9.7 The economic advantage of the Alternative is recognised. It would be convenient for traffic wishing to travel westwards along the trunk road from the B4560. Noise and air quality would be adversely affected and the additional land-take and lighting would have negative impacts, in particular

causing intrusion into the countryside. The loss of the community playing fields would represent a major detrimental impact on the local community. The Alternative would necessitate alterations to the proposed Rest Area exit lane and thereby have a slight negative impact for traffic users of the facility. Overall the advantages of the alternative are outweighed by its disadvantages. The Council would not support it.

Powys County Council (CO10)

- 9.8 Although the Alternative has not been put before the Council it is likely that the Council would not support it. Most of the traffic on the B4560 is commuter traffic although summer visitors use the route in order to gain panoramic views. The Alternative would facilitate reduced traffic through Beaufort and Garn Lydan thereby being of benefit for local residents. It would also theoretically load the B4560 with additional traffic. That would be detrimental to road safety on a road that has a history of tragic accidents and animal deaths. Llangynidr already attracts many visitors. Significant additional traffic would be detrimental to the village environment and to the Grade 1 listed bridges between Talybont-on-Usk and the A40, and across The Usk at Llangynidr.

The Countryside Council for Wales (CO16)

- 9.9 The Alternative would carry a significant adverse effect on the implementation of the mitigation works that would be necessary to make the dual carriageway scheme acceptable. It, and the associated road lighting, would probably have implications for views from within the National Park. It would also create difficulties for designing a restored landscape in order to avoid severance between areas currently used by the Lesser Horseshoe bat from the Usk Bats Sites SAC population.

Councillor Rosemarie Harris of Powys County Council (CO7)

- 9.10 Councillor Harris is the Llangynidr Ward County Councillor. The community support the published scheme but are concerned about Alternative 1 because of traffic effects on Llangattock and Llangynidr and on the graziers of the Common land whose stock would be under increased threat from additional traffic. The B4560 is unfenced and would probably remain so because of landscape concerns. It is treacherous and its alignment and topography mean that its improvement would be impracticable. Heavy goods vehicles and cars "shortcutting" between south and mid Wales use it, but further traffic should be discouraged not least because of the impact on the listed bridges at Llangynidr and Crickhowell. There would be no local support for Alternative 1 because of its cost, effect on the environment and the undesirable impact on the National Park.

Brecon Beacons Park Society (CO8)

9.11 The Society, which is opposed to Alternative 1, is a voluntary organisation whose aims are *"to advance the enhancement, protection and conservation of the countryside and other amenities of the Brecon Beacons National Park for the benefit of the public"*. The National Park would suffer increased light pollution from Alternative 1. That would be contrary to the statutory purposes of a National Park and contrary to Planning Policy Wales (Section 5.3.7), which states, *"...the duty to have regard to National Park... and ANOB purposes applies to activities affecting these areas that lie within or outside the designated areas"*. The dark night skies are one of the special qualities of the BBNP. The proposed junction, being unnecessary, would be contrary to the beauty, wildlife and cultural heritage of the BBNP. The junction would bring development closer to the National Park. Traffic on the unfenced mountain road would be a threat to sheep and horses and would be unwelcome in Llangynidr and across its ancient bridge.

Sue Dale, Clerk to the Llangynidr Community Council (CO6)

9.12 The Council is concerned about increased flows along the B4560 because the mountain road is narrow and unfenced and already sheep are killed on the road. Heavy goods vehicles could not be properly accommodated on the B4560 or along the B4558 at Llangynidr. The junction may encourage additional traffic across the narrow and ancient beautiful single lane bridge, which crosses the Usk at Llangynidr, and the road is extremely steep at the northern end. For these reasons the Council favours the published scheme.

Mr H Graham Powell, Clerk to the Llangattock Community Council (CO1)

9.13 The Council support the principle of a direct access to the proposed A465 but have concerns because the proposed junction would adversely impact on the local environment and traffic flows along the B4560 and C136 in Llangattock. There is also concern about additional land-take and the negative impact the Alternative would have on Garn Lydan when viewed from the National Park.

Mr George Moretta of the Llangynidr Community Council (CO15)

9.14 Mr Moretta believes that he reflects the views of the majority of the Community Council in counter-objecting to Alternative 1 because of the additional traffic that would be drawn to the B4560, which is a hazardous mountain road. Local farmers also object. Foreign drivers relying on satellite navigation are frequently trapped in Llangynidr and the proposed junction and its signposting would exacerbate that already severe problem.

Mrs Donna Symonds (CO4)

9.15 The B4560 is a dangerous, unlit mountain road on which there have been

fatalities to people and animals that can roam freely in daylight and darkness. Additional traffic would exacerbate the problem. Pedestrians, including children, would be threatened in Garn Lydan. There is an established children's playground near the road and an elderly persons' residence. Additional traffic would threaten those most vulnerable in our society. The football field has been run for children and adults by a dedicated team of local people since 1988, to the extent that the Club has become the focal point in the community where children socialise in safety and adults exercise and meet. All that would be lost should Alternative 1 proceed. The football field is common land and is home to a variety of wildlife. The Infants School, which is only 100m away, would be threatened by a new junction, as would the National Park and the value of local property.

Mr Paul Nash (Secretary of the Garn Lydan AFC) (CO5) and

Mr Leonard Hutton (Chairman of the Garn Lydan AFC) (CO11)

9.16 The Alternative would destroy the football pitch and the Club. It was formed in 1988 and brings the whole community together. Recently £19,000 has been spent on improving the field and facilities. Over £75,000 of National Lottery Funding was received in 1995 to enable the changing rooms and parking facilities to be completed. These are being progressively improved. The Club runs senior and junior teams and is content to see the playing field used for recreational purposes by all ages. It would be impractical to relocate the field close to the facilities that have been developed. Should the Alternative be constructed there would be fears for the safety of residents and children and it would have an adverse impact on the National Park and local ecology.

Mrs Barbara Potter and Mr Byron J Potter (CO3)

9.17 The need to spend an additional £3.4 million of taxpayers' money is questioned. Some of the common land that would be needed is a well-used football field that accommodates senior and junior teams. The time saving for commuters should not outweigh the concerns of local residents, particularly in respect of light pollution.

Mr David Mantle (oral evidence)

9.18 Mr Mantle has a farm located off the Llangynidr Road. He puts his sheep on the mountain from May until about October. Additional traffic on the B4560 would increase the threat to them. Llangynidr cannot physically take more traffic.

Mrs S Bounds, and Mr E Adlam (CO13)

9.19 The Alternative would destroy the sports ground at Garn Lydan, an area that is put to frequent use and would cause unnecessary expenditure in times of

financial restraint. The deprived area needs community facilities, not the removal of them. Traffic, and headlights would affect the enjoyment of local residences.

Local Petition from Residents of Garn Lydan (ID42)

9.20 Mrs Sandra Bounds submitted a petition to the Inquiry of over 300 local signatories opposing the Alternative, from the residents of homes shown on the plan at ID46.

Mrs Julie Birch (CO2)

9.21 The Alternative would bring negative social and safety effects on the community of Garn Lydan, on the Llangynidr Road and to the National Park. A well-used local playing field would be destroyed. Lighting and noise would be adverse in the area of the junction. The scheme, without the Alternative, would satisfactorily cater for the needs of traffic. The advantages to travellers on the B4560 should not outweigh the disadvantages to local people. The additional £3.4m should not be spent in the current economic climate.

Dr John Wyburn (CO14)

9.22 The published scheme is supported but the alternative is opposed because of its unacceptability in terms of noise, dust and light pollution. It would destroy community investment, and be a threat to children, dwellings and the National Park.

Alternative 2

The material points were:

The Proposals

9.23 The options for Alternative 2 are set out in the published document, "*A465 Dualling Section 3 Brynmawr to Tredegar Objectors Alternative Proposals March 2012*" (ID51). In place of the draft Orders proposals to divert Bridleway 332/59/1 (which would be severed by the scheme) via the proposed bridge at Alan Davies Way Alternative 2 would either:

- Reduce the length of the draft Order diversion by the construction of a bridleway bridge across the proposed dual carriageway, at the point of interception of the bridleway, or
- Reduce the length of the draft Order diversion by the creation of a new bridleway beneath the main A465 over-bridge on its approach to the Ebbw Vale West junction, which would be located just to the west of the bridleway where it would be severed by the scheme.

Rebuttal of Alternative 2 by the Welsh Government

- 9.24 A bridleway/footbridge, with the required headroom of 5.7m above the carriageway would necessitate the approach ramps on either side. That would cause visual intrusion within the landscape. The structure of the bridge could provide a vantage point for predators of the Lapwing, which would be encouraged to inhabit and breed on the grassland adjacent to the bridge. The footbridge version of the Alternative would cost about £550,000 more than the published scheme. Should the bridge be constructed it would still be necessary to provide a vehicular private means of access from Alan Davies Way to the local community and the communication mast located to the west.
- 9.25 It is accepted that the bridge would shorten the diversion distance between common points by over 300 metres. Two surveys in March 2011 revealed low use of the bridle path with only 7 pedestrians and 1 cyclist observed on a weekday and 6 pedestrians and 7 cyclists observed at the weekend. The additional cost could not be justified in the public interest given that the provisions of the draft Side Roads Order would provide a reasonably level diversion.
- 9.26 In order to accommodate the second option for the diversion of the bridleway the over-bridge at the Ebbw Vale west junction would need to be lengthened by about 5 metres and alterations made to the main line and slip roads at the junction in order to provide the necessary headroom. That would incur additional costs in the order of £300,000. It is accepted that would reduce the bridleway diversion from about 1040 metres with the scheme to about 660 metres with the alternative. Such a saving in distance could not be justified given the low usage of the bridleway, the substantial extra cost and the potential disturbance to Lapwing (ID40).

Counter Objectors to Alternative 2

The Blaenau-Gwent County Borough Council

- 9.27 The scheme provides for an appropriate diversion of the existing bridleway. The Alternative (beneath the over-bridge) would reduce the length of the diverted bridleway by 378 metres but that would only apply to walkers and cyclists, as the route would be unable to accommodate equestrians. The 378m saving is not significant for walkers or cyclists. The Alternative, on either of the routes advocated, would potentially impact adversely on the Lapwing habitat area. There is little usage of the bridle path. The Council, which would be the Highway Authority for the bridleway, does not support the Alternative and does not oppose the draft Order routing.

10. CONCLUSIONS

- 10.1 Having regard to the foregoing, I have reached the following conclusions. Reference has been given in brackets to earlier paragraphs of this report where appropriate.

Introduction

- 10.2 If I am to recommend that the scheme proceeds, it needs to be shown that, on balance, and having regard to local and national planning policies including the requirements of agriculture and potential adverse impacts, it is expedient and in the public interest.
- 10.3 The purpose of the Amendment (Line) Order is to substitute its details for those that were contained in the 1999 made Line Order between Brynmawr and Tredegar, and to provide for changes to junction arrangements, the introduction of a rest area off the westbound carriageway at Garn Lydan, and the corresponding extent of de-trunking of the existing A465. If I am to recommend that the Amendment (Line) Order be made I need to be satisfied with the compatibility of this Order with the overall scheme for improving the A465 and for detrunking the existing road, and that the scheme between Brynmawr and Tredegar, as now proposed, is expedient.
- 10.4 In the case of lands to be acquired under the Compulsory Purchase Order, and having regard to both statutory criteria and advice, it must be shown that there is a compelling need for compulsory purchase in the public interest which justifies interference with the human rights of those with an interest in the land, that the Welsh Government has a clear idea how it intends using the land it seeks to acquire, that the necessary resources to carry out these plans would be available within a reasonable time scale, and the scheme is unlikely to be blocked by any impediment to implementation.
- 10.5 With regard to the Side Roads Order it must be shown that alternative routes to highways proposed for stopping up are reasonably convenient and that where private means of access are to be stopped up that another reasonably convenient access is available or will be provided by the scheme if needed.
- 10.6 In relation to the Section 19 Certificate, it must be shown that the land to be given in exchange is not less than that which would be taken and is equally advantageous to the public.

The Scheme for Dualling Section 3 of the A465 Widening Scheme

- 10.7 There were no sustained individual local objections to the principle of the scheme, although the Brecon Beacons National Park Authority, in reclassifying its earlier Objection to that of a Representation, continued to challenge the National Policy basis for proceeding with this or other road schemes in Wales,

in the belief that this road scheme was unsustainable and would not result in the lowering of harmful emissions. The Authority saw those as a threat to the conservation of nature in the Park. The Countryside Council for Wales, the Blaenau-Gwent County Borough Council and the Environment Agency Wales all confirmed their acceptance of the scheme, which included a number of mitigation measures that would need to be incorporated into the project to counteract its adverse impacts [5.1, 7.5-7.10, 8.1, 8.13-8.22].

- 10.8 I deal with this extant Representation from the Brecon Beacons National Park Authority at paragraphs 10.38-10.45 below.
- 10.9 At the Inquiry there was an abundance of evidence to show that the scheme would be consistent with a plethora of up to date National Policy. The National Transport Plan was prioritised in 2011 and that confirmed the status of the scheme and that it was programmed to commence in 2012, with the necessary resources that would be needed for its construction and associated costs likely to be available in a reasonable timescale. I accept that a number of national environmental policy objectives would not be enhanced by the scheme and these, to my mind, can be seen as material factors in weighing the balance for or against a project which seeks to achieve a favourable balance of transport strategy, safety, environmental and economic benefits when off-set by other environmental disadvantages. Landscape and environmental policies would not be advanced by the scheme, but both were vigorously addressed as part of the development of the scheme, with clear strategies that were demonstrated at the Inquiry. I conclude that the preparation of the scheme has had regard to National and Local Planning and would, on a clear balance of national policies be acceptable [4.9-4.23, 7.10, 8.14-8.19, 8.22].
- 10.10 Local policy is strongly supportive of the scheme, particularly in regard to transport and economic regeneration policies [4.24-4.28].
- 10.11 The scheme and its objectives have widespread support, including that from the Blaenau-Gwent County Borough Council, the Town Councils of Tredegar and Brynmawr and organisations and authorities concerned with the movement of freight and with the regeneration of the Heads of the Valleys area, which clearly is economically disadvantaged relative to the rest of Wales and more-so relative to the UK. I conclude that local support for the scheme is overwhelming [4.29, 5.1-5.7].
- 10.12 I am convinced that the design of the scheme would provide a highway with sufficient capacity for future traffic forecasts and that the traffic forecasting has been properly undertaken. Safety would be improved by the scheme. Both the flooding and water pollution control measures that would be incorporated would reduce the potential of adverse effects once the scheme is operational. Clear proposals for the control of construction activities are already established and would safeguard the public and environment during the construction phase. The contract, which has been geared towards the employment of new employees, would deliver an immediate social benefit for the area, with the potential of residual longer-term benefits. I conclude that the scheme has been properly designed and has the basis of a proper construction philosophy [4.30-4.45, 4.57-4.61, 4.69-4.78].

- 10.13 Confirmation of funding for the scheme was established by its inclusion in the Welsh Government's programme. The cost/benefit analysis for the scheme was undertaken in accordance with nationally adopted procedures. These indicated that the scheme would represent a sound investment of public funds and that should the remaining sections of the overall A465 widening scheme be completed the value for money of constructing Section 3 would be further advanced. I have also taken note of the wider reaching economic benefits that could accrue to the community. These would arise from the benefits that better transport would facilitate should the scheme be built, but these additional potential community benefits, whilst material, are not crucial for the establishment of a sound economic case for the scheme. In my opinion the scheme would have a proven economically beneficial case notwithstanding its more wide ranging potential. I conclude that there is a good economic case for proceeding with the scheme, that funding should be made available within a reasonable timescale and that its construction should aid efforts to regenerate the Heads of the Valleys area [4.62-4.68].
- 10.14 The effect of the scheme on agriculture would be adverse but I am satisfied that all of the 66ha of agricultural land required is agricultural grade 5 of very low quality. Whilst one farm would be severely affected I am satisfied that none of the 7 holdings affected would be rendered unworkable. It is clear that, with the exception of Hirgan Farm, the design of the scheme has had regard to the requirements of agriculture and that within its context the impact on Hirgan Farm has been dealt with reasonably. I conclude that the effect of the scheme on agriculture can be regarded as minor in national terms [4.81-4.84, 6.15-6.17, 8.8-8.11].
- 10.15 The impact of the scheme on the environment has been comprehensively surveyed and documented, and the measures incorporated in the scheme would offset its harmful environmental effects to a degree that I conclude that, overall, there would be no disproportionate adverse environmental impact. I note that the Statutory Bodies concerned with the environment in Wales, the Countryside Council for Wales and the Environment Agency Wales are not opposed to the scheme. They have accepted its details. The remaining concern of the Brecon Beacons National Park Authority about air quality and pollution has been dealt with at paragraphs 10.38-10.45 below [4.47-4.56, 4.89-4.98, 6.18-6.20].
- 10.16 The scheme would introduce traffic noise into a new road corridor but much of that would be mitigated by the measures to be incorporated. All mitigation measures are justifiable. The scheme would substantially reduce existing noise alongside the existing trunk road corridor. I conclude that the scheme would be acceptable in traffic noise terms everywhere and overall would be markedly beneficial in reducing perceptible noise in residential areas [4.73, 4.89-4.91].
- 10.17 I am satisfied that the landscape design of the scheme has been developed in the consultation with Blaenau-Gwent County Borough Council, the Environment Agency Wales, the Brecon Beacons National Park Authority and the Countryside Council for Wales. There would be few local adverse impacts. It is evident that careful design of the landscaping of the scheme, to make its relationship with the National Park, local residential areas and ecology acceptable, has advanced having regard to the expert advice from the Statutory Bodies concerned with the National Park and nature. I conclude that

the landscaping proposals have evolved from professional and thorough preparation and, as presented to the Inquiry, are comprehensively acceptable. There are no sustained views to the contrary [4.85-4.88, 5.4].

- 10.18 I recognise that the scheme has been difficult to engineer without recourse to variations from normal standards. The difficult topography and the juxtaposition between the proposed dual carriageway and existing infrastructure and development and the need to demonstrate value for money has meant that engineering sacrifices have been made in terms of departing from unrestrained standards. There would be a succession of departures from standards but I note that these have been formally considered and formally authorised. In my opinion these departures constitute a reasonable way forward but would need careful monitoring [4.30-4.45].
- 10.19 There was much detailed debate about air quality and pollution at the Inquiry. I am satisfied that the effect of the scheme on air quality was assessed in accordance with the methodology stipulated by the DMRB which defines which developments should be included in the assessment. I note that use of the DMRB is mandatory for trunk road assessments. I am also satisfied that the scheme would improve air quality for people who live in the area, given the removal of traffic from the existing A465, and that no relevant air quality thresholds are threatened by the proposals [4.97, 4.98].
- 10.20 I accept that there remained a concern that, in terms of the SSSIs and the SAC, background pollution currently exceeds critical thresholds for nature conservation. Such a concern was raised in correspondence from the Brecon Beacons National Park Authority, but the Authority chose not to be represented at the Inquiry. It was therefore not possible to test the Authority's written evidence.
- 10.21 The non-contradicted Welsh Government's evidence at the Inquiry was that, because of national improvements in technology, these background levels will fall overtime irrespective of whether the scheme was built or not. With the scheme in place they would be a little higher than if no scheme had been built [7.8, 7.9].
- 10.22 In its evidence the Welsh Government showed that pollution is caused by many factors and in rural areas road traffic is a relatively minor cause of pollution. It was evident that the difference that the scheme would make is less than half of the increase that would be of concern to the Countryside Council for Wales. In other words, the 2030 traffic on the A465 would need to double relative to its forecast levels before pollution from emissions became significantly worse. In my view that would not happen and therefore I accept that, in the context of the area, the scheme, of itself, would pose little threat to the vast majority of the areas of the SSSIs or the SAC [4.97, 4.98, 8.13-8.21].
- 10.23 I saw no policy that states that, because air quality thresholds are already in excess of critical thresholds, only schemes or developments that actually reduce pollution should be allowed to proceed in the area. I saw or heard no other convincing evidence to substantiate such a severe application of policy but I also draw attention to the remaining concerns of the Brecon Beacons National Park Authority in this regard. These are recorded at paragraph 7.8

and 7.9 of this report.

- 10.24 I conclude that, in terms of air quality, the scheme would be beneficial for residents in the A465 area and that the small (less than 0.5%) pollution increase at the SSSIs and SAC is acceptable to the Countryside Council for Wales (the Statutory Authority for nature conservation in Wales). In my judgement Section 3 of the A465 widening scheme should not be prevented from proceeding because of air quality issues.
- 10.25 I am satisfied that proper regard has been had to the requirements of the Habitats Regulations Assessment procedure and that it is evident from the evidence of the experts that the scheme would not have any significant adverse affect on the integrity of European Sites. I am not aware of any reason to disagree with the expert evidence presented to the Inquiry [4.54-4.56, 8.13, 8.17, 8.21].
- 10.26 The Welsh Government's Environmental Statement was published in accordance with European and UK Directives and it is noted that the Statutory Authorities have been consulted in the course of the scheme's development. The comments and representations by the statutory bodies and the Environmental Statement have been taken into account in reaching my conclusions. There were no serious challenges to the Environmental Statement that were not addressed by the published version of the Supplemental ES and correspondence between the parties. Production of that Supplemental ES was helped by the response by the Brecon Beacons National Park Authority to its scoping exercise. I have taken into account the comments made by the statutory consultees [1.7, 4.47-4.52].
- 10.27 I am satisfied that the ES and the Supplemental ES:
- Meet the requirements of the various Acts and Directives [4.49].
 - Satisfy the concerns of the Countryside Council for Wales and the Environment Agency Wales [6.18-6.20, 7.5-7.7, 8.1].
- 10.28 I turn now to my consideration of the individual objections and representations to the draft Orders. From my study of the correspondence between the various parties I am satisfied that discussions took place and agreements were reached with 10 of the original 14 objectors. Some of these agreements rested on the Welsh Government seeking modifications to the published draft Orders upon the making of those Orders. I have considered all such modifications and endorse all of them. In the circumstances I conclude that those agreements would represent a satisfactory way forward and that 10 of the 14 objections were formally withdrawn on a sound basis before the close of the Inquiry. The 3 outstanding objections and one reclassified as a representation are addressed immediately below.

Individual Written Objections outstanding at the close of the Inquiry

Mr Martin Evans (O1)

- 10.29 My conclusions in respect of the two alternatives advocated by Mr Evans are

set out at paragraphs 10.46-10.57 below. Apart from his arguments in favour of the Alternative he sustained two of the issues from his original objection [6.2-6.4].

- 10.30 Firstly I accept that the removal of carriageway traffic management measures from the B4560 at Garn Lydan is entirely a matter for the Blaenau-Gwent County Borough Council as local Highway Authority for the road. In my view whether or not the measures remain has no bearing on the cases for or against the draft Orders and the issue needs not to be considered further in the report [6.4-8.6].
- 10.31 Secondly, in his opposition to the proposed rest area Mr Evans was seeking to redirect the funds that would be saved onto other activities, which he considers to be preferable. In my opinion the case for the rest area has been made. It would provide a lay-by for the convenience of travellers and would accord with national standards, which establish the need for such facilities on trunk roads. It would also facilitate local initiatives and I note that both the Blaenau-Gwent County Borough Council and the Brecon Beacons National Park Authority would support its construction. There has been no objection from the current landowner and the land would also be put to essential use for necessary landscaping and drainage of the highway. I conclude that the rest area is fully justifiable [6.2, 8.5].

Mr P and Mrs S Jones of Hirgan Farm

- 10.32 The Welsh Government accepts that Hirgan Farm would be severely affected by the scheme, a matter with which I fully concur. Compensation would be payable to address the severity of the impact upon the size and operation of the farm. That could be reduced by the construction of an underpass that would effectively link the farmstead to the severed fields to the north of the proposed road. I note that such an underpass would cost in the range of £150,000-£200,000 but the value of the severed fields is only in the region of £27,000. Accordingly, the cost an underpass would be disproportionate to the advantages gained by its construction. I conclude that the underpass need not be included in the scheme [6.15, 6.16, 8.8].
- 10.33 In my view the draft Orders would provide a suitable passage for farm machinery to the severed land. However, this alternative would represent a considerable detour using the public highways along Alan Davies Way, Restricted Byway 332/65/1 and Bridleway 332/59/1 together with a lengthy private access track, overall in the order of about 1.8 km. I accept that in terms of distance such a route has drawbacks but, in my judgement, in the context of the operation of Hirgan Farm and the restraints of the site, is reasonable [6.16, 8.9, 8.9].
- 10.34 I am also convinced that the proposed access to the Hirgan farmstead from the length of the A465 that would cease to be a highway would constitute a perfectly reasonable access. The alternative requested by Mr and Mrs Jones, which would run as a fifth arm from the nearby roundabout, is in my view undesirable on traffic and safety grounds. I therefore conclude that the provision for farmstead access in the draft Orders is quite acceptable [6.16,

8.8].

- 10.35 I accept that the Welsh Government has a statutory duty to provide habitat for the Lapwing and that after discussions with the Countryside Council for Wales, and with the Royal Society for the Protection of Birds the site, part of which would affect Hirgan Farm, was judged to be the most suitable. I heard no convincing evidence to the contrary. I conclude that the compulsory purchase of the necessary land is in the interests of nature conservation to enable the site to be managed and maintained properly [6.17, 8.10].
- 10.36 Mr and Mrs Jones challenged the justification for compulsory purchase of Plot 2/8g on the basis that the landscaping of the roundabout for the benefit of residents of Beaufort Wells should be located further north on Welsh Government land and therefore Plot 2/8g should be retained by them in agricultural use. In my opinion, it is clear that such a proposal could not satisfy the landscaping needs of this relatively isolated area. I accept the Welsh Government's view that a 20 metre wide strip of landscaping hard against the top of the roundabout earthworks would be necessary to intercept lines of sight from Beaufort Wells. Establishing the planting closer to the properties would be less effective. I therefore conclude that a strip of landscaping 20 metres wide (would penetrate about 18 metres into the field at Plot 2/8g) could be justifiably purchased in the public interest. I do not accept the Welsh Government's view that any more land should be taken from Plot 2/8g because I am unconvinced that it needs to be removed from agricultural use in order to safeguard the existing SINC alongside which it has co-existed for some time [6.17, 8.11].
- 10.37 I accept that access from a main highway to Plot 2/8g would be undesirable but reject the undesirability of one running from Bridleway 332/59/1 (Restricted Byway 332/65/1) in the general vicinity of Wells Farm, and across Plot 2/1q which is in the Welsh Government's ownership. There was no convincing evidence to show that a 3 metre wide hardened track access would present any practical obstacles or be especially disadvantageous to the SINC. This is a matter to which I return more fully at paragraphs 10.59-10.62 below, in my consideration of whether or not the draft Compulsory Purchase Order for the scheme should be made [6.16, 8.11].
- 10.38 Notwithstanding my comments at those paragraphs I note that Mr and Mrs Jones were primarily arguing for retention of the whole of Plot 2/8g and not just the remnant part of it after the 18 metre wide strip for landscaping had been taken. In such circumstances I conclude that it would be reasonable for the Welsh Government to hold constructive discussions with Mr and Mrs Jones over whether or not they wished to retain the remnant part of Plot 2/8g in agricultural use before final decisions are taken as to its future. However, on the assumption that such discussions do not result in Mr and Mrs Jones withdrawing their request for the retention of plot 2/8g, I do not consider that the whole of the plot could be justifiably compulsorily purchased for the reasons set out at paragraph 10.59-10.62 below.

Mrs Maureen Lloyd-Bainbridge (O13)

10.39 The objection of Mrs Lloyd-Bainbridge is essentially a matter of administration and in my opinion is not of relevance to the case for or against the Draft Orders. I note that the Welsh Government have indicated that correspondence in respect of the scheme was posted to properties in Pant-y-Dwr and that a representative met with Mrs Lloyd-Bainbridge in March 2012. These seem to me to represent a satisfactory discharge of the Government's administrative duties associated with the scheme. I have therefore not considered the matter further [6.21, 8.12].

The Brecon Beacons National Park Authority Representation (R6)

10.40 The Authority had a number of earlier concerns about the sufficiency of the 2011 ES. It is evident that these were addressed in the 2012 Supplemental ES, essentially in terms of local policy and the landscape. No further correspondence emanated on those issues. Accordingly, I conclude that there are no residual issues between the parties on those subjects [7.8, 8.13, 8.14].

10.41 The Authority supported the principle of the scheme at the 1999 Inquiry. The principal residual issue at this Inquiry was that of air quality because critical load thresholds of pollution on vegetation communities were already exceeded. In such a case the BBNPA is of the view that a scheme, which would cause a very small increase in pollution, should not be allowed to proceed. I note that in its view the possibility that improvements to the A465 would attract further local development should also be seen as a threat. The Authority suggested that a lower standard of improvement should be substituted for the scheme [4.25, 7.8, 8.15, 8.16].

10.42 The BBNPA considers that the National Transport Plan, which clearly supports the scheme, should be reviewed. At the Pre-Inquiry meeting I made it clear that Government policy was not a relevant topic for debate at Public Local Inquiries but draw attention to the outstanding concern of the Authority [7.10, 8.14, 8.15].

10.43 The Welsh Government's position was that levels of pollution will fall over time and the extra pollution caused by the scheme is very low indeed, being 0.5%, which is acceptable to the Countryside Council for Wales as the Statutory Authority for nature conservation in Wales. The scheme was assessed in accordance with the requirements of the mandatory DMRB. It also points out that its evidence at the Inquiry was unchallenged and no competing evidence or facts came forward to the Inquiry from the BBNPA to be tested. It was also established that beyond 200 metres from the road air pollution would cease to be of any concern [7.8, 7.9, 8.19, 8.20].

10.44 The Welsh Government drew attention to the solid backing for the scheme in policy terms and to the importance of consistent standards of improvement. It was also of the view that local or associated developments should be dealt with under the Government's Spatial Plan or the Local UDP and not linked to trunk road procedures [7.8, 8.14, 8.16, 8.17].

- 10.45 In my view there was no counter evidence of substance or fact to indicate that the scheme would cause unacceptable levels of air pollution in the Brecon Beacons National Park, other than the assertion that as critical thresholds are already reached no further development should be permitted as a matter of policy. No such policy appeared at the Inquiry, or in any written Objections or Representations. On the contrary there was a plethora of national and local evidence in support of the scheme [7.8, 8.21, 8.22].
- 10.46 I conclude that there is no policy reason to prevent the scheme from proceeding. Clearly it has been assessed thoroughly, and properly in accordance with the DMRB. It would seem to me to be entirely proper in local planning terms to assess local developments in accordance with the Spatial Plan and the relevant UDP. I therefore conclude that the scheme has been prepared and assessed in accordance with the national approach for trunk road development. I further conclude that, on the basis of the evidence presented and the acceptability of it to the Countryside Council for Wales, there is no established reason to prevent the scheme proceeding because of the limited air pollution that it would cause [7.8, 8.19].
- 10.47 No evidence was adduced to support the notion that a low key improvement would suffice for Section 3 and, in noting the Welsh Government's response, it seems to me that such a suggestion would be wholly inappropriate as a solution to the current and future demands of Section 3 of the A465 widening scheme. In my opinion the ill- defined suggestion does not warrant further consideration. It would run counter to the Secretary of State's 1999 decision and counter to the support of the Brecon Beacons National Park Authority for dualling, at the earlier Inquiry [7.8, 8.15, 8.16].

Conclusions with regard to the Alternative 1

- 10.48 The alternative was put forward as a genuine attempt to maximise the benefits that would accrue from the scheme. In that regard I am convinced that the addition of the junction between Llangynidr Road and the scheme would provide a substantial positive return on its estimated cost of £3.4m to the extent that it would significantly enhance the BCR of the whole scheme. It would increase traffic flows across the vulnerable Llangynidr mountain road by about 6%, a figure that I regard as insubstantial in terms of the environmental effects or accidents, although I accept that the road is potentially dangerous [9.1-9.3, 9.10-9.12, 9.15, 9.21, 9.22].
- 10.49 Therefore I can only come to the view that the adverse effects on Llangynidr would be relatively light despite the local opinion to the contrary. On the other hand the alternative would dramatically reduce flows on the urban section of the B4560 in Garn Lydan. In my opinion that would be a significant benefit in terms of safety and environmental relief despite the solid and heartfelt views of locals to the contrary [9.3, 9.9-9.11, 9.15, -9.17, 9.21].
- 10.50 It seems to me that the alternative would create some additional impact within the southern confine of the National Park but these would be limited because of the east-west grain of the topography which would effectively cut off longer distance views from within the Park and the existence of the

prominent power lines, a wind turbine and communication mast that do much to spoil this area of the National Park. Therefore, I do not give much weight to the criticisms of the alternative in respect of visual impact [9.5, 9.9, 9.12, 9.13, 9.14, 9.16, 9.17].

- 10.51 I accept that any junction located in the vicinity of the B4560 would give rise to engineering challenges that would necessitate a major re-design of the proposals associated with the rest area in order to make the resultant scheme safe and acceptable. That is a material consideration but I give little weight to the argument that such a junction would not be compatible with the strategic nature of the A465 to the point of distracting long distance drivers from using the trunk road [9.5, 9.6].
- 10.52 I also accept that the design changes that would be necessary would delay the project by about a year. It is clear that delays of that magnitude (or more) would deflate the economic advantages that have been claimed, as overall first year benefits would be sacrificed [9.5].
- 10.53 In my view the main disadvantage of the alternative would be its devastating effect on the Garn Lydan Football Club, its playing field and facilities. The facilities not only provide for the playing of football matches but also act as a focal point that evidently harmonises the social well being of the whole community and provide safe outdoor activity and opportunity for young people effectively on their doorsteps. I have come to the conclusion that, whilst other matters are reasonably balanced, the wiping out of these progressively improved and much cherished local facilities would deliver a disservice to the people of Garn Lydan of such magnitude as to make the advantages of the alternative unacceptable in the overall public interest [9.7, 9.15, 9.16, 9.17, 9.19, 9.21, 9.22].
- 10.54 I conclude that the alternative should not be incorporated into the scheme and need not be considered further.

Conclusion with regard to Alternative 2

- 10.55 The alternative was in reality a pair of options aimed at reducing the diversion length along Bridleway 332/59/1. I am satisfied that both options would be practicable but despite that the proposals contained in the draft Orders would still be necessary in order to provide access to the communications mast which would otherwise be severed to the north of the road. In such circumstances it follows that there would be little compensatory cost saving in adopting either of the alternative options. I therefore accept that the cost of both the alternatives would be appreciably more than the published scheme proposals. This would be in the order of £550,000 more for the over-bridge option and about £300,000 for the under-bridge route to the west [9.23- 9.26, 9.27].
- 10.56 Whilst it is clear that both options would represent a threat to the Lapwing, in this case I do not give much weight to that argument because the draft Order route would have a similar drawback [9.24, 9.27].
- 10.57 I note that the walking and cycling facilities are sparingly used at present and

that the Bridleway is rural in nature and one along which long-distance walking or cycling would be expected. [9.25, 9.27].

- 10.58 The key questions are whether the draft Order proposal would be reasonably convenient relative to the route that would be severed, and whether it is so inferior relative to the options that substantial additional public expenditure would be justifiable.
- 10.59 In my opinion the draft Order proposal is, in the context of the rural bridleway, reasonably convenient. I note that the Blaenau-Gwent County Borough Council, as inheriting Local Highway Authority have accepted it. I also conclude that both alternatives would be better than the draft Order route in terms of distance savings but they both carry appreciable cost and other disadvantages relative to the published route. Given the low level of usage I have come to the view that the extra costs that would be incurred for little material overall benefit cannot be justified in the overall public interest. I conclude that the Alternative options should not be adopted and need not be considered further [9.26, 9.27].

The Orders for the Scheme

Conclusions with regard to the Line Order

- 10.60 I am satisfied that the proposed changes to the trunk road network would, bearing in mind the requirements of local and national planning, including the requirements of agriculture, be expedient and in the public interest for the purposes of improving the national system of routes for through-traffic in Wales. I am also satisfied that the proposals for detrunking of the A465 are expedient. The tests set out at paragraph 10.3 above are therefore met. The Amendment (Line) Order should be made subject to the minor drafting modification set out at Annex C. The modifications would not prejudice any party.

Conclusions with regard to the Compulsory Purchase Order

- 10.61 I have closely studied the Schedule and Plans accompanying the Compulsory Purchase Order and can find no evidence of any proposal to purchase any land or rights other than those necessary to implement the scheme, and to accommodate administrative omissions from Section 4 of the overall scheme, with the exception of Plot 2/8g. With the exception of Mr and Mrs Jones of Hirgan Farm there have been no sustained, general or specific assertions to the contrary that have not been addressed by the proposed modifications to the Order. The Welsh Government produced convincing evidence to substantiate the need for the compulsory purchase of title or rights of other plots to enable the design of the scheme, its construction and maintenance to proceed efficiently and to mitigate its adverse effects. I heard no evidence of any potential or real impediment to the progress of the scheme [4.79, 6.17].
- 10.62 In respect of Plot 2/8g I am satisfied that a large portion of the field should be Compulsorily purchased to facilitate landscaping which in my view is essential

for the shielding of the scheme from its environs. That would require a strip of land about 18 metres wide located tight along the southern boundary of the plot. Mr and Mrs Jones have specifically requested the field remains in their ownership and in agricultural use to mitigate, to a small extent, the severe adverse impact that the scheme would have on Hirgan Farm. The Welsh Government sought to acquire that remnant portion so that it could be managed accordingly, having regard they say to the SINC alongside and just to the north. They claimed that would constitute "best practice" in circumstances similar to this (even when the land owner protests). They also, understandably, sought to prevent access to the remnant portion of Mr and Mrs Jones' field part of the plot [6.17, 8.11].

- 10.63 In coming to a view on this dispute I must have regard to the Compulsory Purchase Order test set down in Statute and summarised at Paragraph 10.4 above. In my opinion no compelling case in the public interest was established at the Inquiry for the compulsory purchase of the whole of Plot 2/8g. I do not recognise the "best practice argument" promoted by the Welsh Government in support of its case. However, the Minister, in coming to a judgement on such issues, must have regard to the requirements of agriculture in confirming any trunk road scheme promoted under Section 10 of the Highways Act 1980 [6.17, 8.11].
- 10.64 I also reject the argument that the Welsh Government must take possession of the remnant part of the plot in order to safeguard the quality of the SINC grassland nearby. After all these two pieces of land have co-existed alongside each other for some time in the past and I heard no evidence to substantiate the view that they could not successfully co-exist in future. I conclude that Plot 2/8g should be reduced in size sufficient only for a 20 metre wide strip of landscaping, from the top of the earthworks cutting, to be provided as part of the scheme. That would remove 18 metres of the field. I have made a recommendation for a suitable modification to the CPO on making at Annex C to this report [8.11]. (*I have made a further recommendation with regard to the necessary low standard access to the otherwise severed piece of land from SRO new bridleway across the SINC field which is already in the ownership of the Welsh Government*).
- 10.65 I have closely studied the proposed modifications to the Order requested by the Welsh Government and endorse all the modifications as being necessary for the purposes of the scheme and for the correct definition of the Order. These modifications would not prejudice any party. The parties have agreed the modifications in writing. I am further satisfied that the whole Order, as modified, addresses no more land than is necessary (with the exception of Plot 2/8g) and that the Welsh Government has a clear idea of how it intends to use the land for the engineering of the scheme. Budgetary provision has been made for the scheme, no impediment to progress was evident and if the Orders are made work could start soon, for which reason I am satisfied that no land would be purchased ahead of time [4.99].
- 10.66 Should the attenuation pond located near the River Clydach become unnecessary as the design matures the associated land and footpath closures and the new footpath would cease to be necessary and could be removed from the Orders on making. I note however that there was no objection to the proposed compulsory purchase of the land [4.101].

10.67 I conclude that the Compulsory Purchase Order should be modified, in accordance with Annex C to this report, and as modified should be made.

Conclusions with regard to the Side Roads Order

10.68 I am satisfied that the proposals for improving or stopping up the highways, and for the stopping up of private means of access in the Order are necessary to meet the scheme's objectives. With regard to highways, other convenient routes would be made available by the scheme.

10.69 With regard to the private means of access, those reasonable replacement means of access still required would become available before each stopping up takes place or temporary measures would be provided, with the exception of access, that following my recommendation at paragraphs 10.35-10.36 and 10.62 above, would become a necessary addition to the scheme to provide a low standard passageway from the bridleway to the severed area of Plot 2/8g. I note that the land over which this access would run lies in the ownership of the Welsh Government, so no third party would be prejudiced by such an addition to the Orders whether or not such an access was established by modification to these draft Orders or by the publication of a Supplementary Side Roads Order for the access alone.

10.70 Following discussions with landowners and tenants a number of modifications were proposed to the Side Roads Order. I endorse all of them. These modifications set out at Annex C should not individually or collectively, prejudice any party. Therefore, with the exception mentioned above, I am satisfied that reasonably convenient means of passage would be provided by the scheme and that the tests set out at paragraph 10.5 above have been met. I conclude that the Side Roads Order should be modified as set out at Annex C and as modified be made.

Conclusions with regard to the issuing of a Section 19 Certificate

10.71 I have studied the case for acquiring the area of Common Land and the Welsh Government's proposal for replacement land which has been included in the draft Compulsory Purchase Order, mindful of the tests set out at Section 19 of the Acquisition of Land Act 1981.

10.72 Firstly I am satisfied that the proposed road scheme, where it would pass through the Common Land, would be a new highway not associated with any widening of an existing highway. I am also satisfied that, as the proposed acquisition of Common Land is greater than 250 square metres, the matter falls to be considered under Section 19 of the Act. I am further satisfied that the area earmarked for replacement land would not be less than the area to be acquired. It would be in close proximity to the area proposed for compulsory purchase and is of a similar quality and character. There were no sustained assertions to the contrary [4.80].

10.73 I note the evidence of the Welsh Government that rights would be vested in those with an interest in the land. I made a specific visit to the existing and

proposed Common Land areas. From these observations and a study of the relevant correspondence I conclude that it would be appropriate to issue a Section 19 Certificate [4.80].

Overall Conclusions on the Scheme

- 10.74 In my view there is a compelling case for the scheme to be implemented in order to improve safety along the trunk road, improve its efficiency as an international route along part of the strategic road network and potentially facilitate economic regeneration of the Heads of the Valleys area.
- 10.75 The scheme for the construction of Section 3 of the overall A465 improvement would be compatible with the adjoining sections of the improvement and I am satisfied that the criteria set out in paragraph 10.3 above have been met.
- 10.76 For the reasons I have set out above I conclude that the modifications to the Orders proposed by the Welsh Government are needed. I have made one further recommended modification to the Compulsory Purchase Order and Side Roads Order in respect of plot 2/8g and its associated access.
- 10.77 The incorporation of those modifications would make the draft Line, Side Roads and Compulsory Purchase Orders acceptable. I do not regard any of the modifications proposed to be such as to make a "substantial change" of the magnitude necessary to cause further representation to be necessary in accordance with stipulations of Schedule 1 Section 8 (3) of the Highways Act. It follows that the scheme is acceptable.
- 10.78 It is accordingly my view that the scheme is in the public interest and should be allowed to proceed without the incorporation of any of the alternatives suggested by an objector. The scheme would not to my mind have any disproportionate adverse impacts.
- 10.79 In coming to this view I have had regard to all objections and representations made in writing and to the counter objections made at the Inquiry and in writing, but individually or collectively, they do not outweigh the conclusions I have reached.

11. RECOMMENDATIONS

11.1 I recommend that

THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAI TRUNK ROAD (A 4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A 470) (CONNECTING ROADS) ORDER 1999 (BRYNMAWR TO TREDEGAR) (AMENDMENT) ORDER 201-

THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAI TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) (BRYNMAWR TO TREDEGAR) (SIDE ROADS) ORDER 201-

THE WELSH MINISTERS (THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAI TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) (BRYNMAWR TO TREDEGAR) COMPULSORY PURCHASE ORDER 201-

are all modified in accordance with Annex C of this report and, as modified, be made.

11.2 I further recommend that a Certificate under Section 19 of the Acquisition of Land Act 1981 be issued in respect of the Common Land.

W S C Wadrup

Inspector

12. ANNEX A - APPEARANCES AT THE INQUIRY

For the Welsh Government

Mr Graham Walters of Counsel, instructed by Mr John Davies of the Welsh Government Legal Division	Advocate for the Welsh Government who called:
Mr Matthew Enoch B Eng (Hons), CEng, MICE	Chief witness and policy witness.
Mr Ben Sibert BEng, CEng, MICE, MIStructE, MIGHT	Engineering design witness.
Mr Mike Cummine BEng (Hons)	Construction and contract witness.
Mr Andrew Jenkins BSc (Hons), MSc, MCILT, FCIHT	Traffic witness.
Mr Lee Jones BSc (Hons) DIPTP, MRTPI, CMLI	Environment witness.
Ms Jo Wall BSc, BLD, CMLI, MBIDP	Landscape witness.
Dr Michael Bull PhD, DIC, BSc, CEng, CSci, FIAQM, MIEnvSci, MICHemE	Air Quality witness.
Mr Stephen Bussell BSc (Hons)	Transport & Economics witness.
Mr Tony Kernon BSc (Hons) MRICS FBIAC	Agricultural witness.
Mr Greg Harris MSc, MIOA	Noise witness

As Supporters of the Scheme

Mr Chris Engle M.L.I.DIPUD	Blaenau-Gwent County Borough Council
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As Counter-Objectors to Alternative No.1

Mrs Rosemary Harris	Member of the Powys County Council – Llangynidr Ward
Mr George Moretta	Member of the Llangynidr Community Council
Mrs Donna Symonds	A resident of Llangynidr Road, Rassau
Dr John Wyburn	A resident of Garn Lydan
Mr Paul Nash	The Secretary of the Garn Lydan Football Club
Mr David Mantle	A local farmer of Llangynidr

13. ANNEX B - SUPPORTING DOCUMENTS

DOCUMENTS RELATING TO THE EVIDENCE OF THE WELSH GOVERNMENT WITNESSES

WG01/A	Statement of Welsh Government's Reasons for Proposing that the Published Draft Orders should be made - Part A – Policy Statement- Evidence of Mr Matthew Enoch
WG01/B	Statement of Welsh Government's Reasons for Proposing that the Published Draft Orders should be made - Part B. – Statement of Need-Evidence of Mr Matthew Enoch
WG01/C	Appendix to Statement of Welsh Government's Reasons for Proposing that the Published Draft Orders should be made- Evidence of Mr Matthew Enoch
WG01/D	Summary Statement of Welsh Government's Reasons for Proposing that the Published Draft Orders should be made- Evidence of Mr Matthew Enoch
WG02	Transport and Economic Justification Proof of Evidence of Mr Stephen Bussell
WG02/A	Appendix to Transport and Economic Justification Proof of Evidence of Mr Stephen Bussell
WG02/B	Summary of Transport and Economic Justification Proof of Evidence of Mr Stephen Bussell
WG03	Engineering Design Proof of Evidence of Mr Ben Sibert
WG03/A	Appendix to Engineering Design Proof of Evidence of Mr Ben Sibert
WG03/B	Summary of Engineering Design Proof of Evidence of Mr Ben Sibert
WG04	Construction Proof of Evidence of Mr Mike Cummine
WG04/A	Appendix to Construction Proof of Evidence of Mr Mike Cummine
WG04/B	Summary of Construction Proof of Evidence of Mr Mike Cummine
WG05	Traffic Proof of Evidence of Mr Andrew Jenkins
WG05/A	Appendix to Traffic Proof of Evidence of Mr Andrew Jenkins
WG05/B	Summary of Traffic Proof of Evidence of Mr Andrew Jenkins
WG06	Environment Proof of Evidence of Mr Lee Jones
WG06/A	Appendix to Environment Proof of Evidence of Mr Lee Jones
WG06/B	Summary of Environment Proof of Evidence of Mr Lee Jones
WG07	Landscape Proof of Evidence of Ms Jo Wall
WG07/A	Appendix to Landscape Proof of Evidence of Ms Jo Wall
WG07/B	Summary of Landscape Proof of Evidence of Ms Jo Wall
WG08	Noise and Vibration Proof of Evidence of Mr Greg Harris
WG08/A	Appendix to Noise and Vibration Proof of Evidence of Mr Greg Harris
WG08/B	Summary of Noise and Vibration Proof of Evidence of Mr Greg Harris
WG09	Agriculture Proof of Evidence of Mr Tony Kernon
WG09/A	Appendix to Agriculture Proof of Evidence of Mr Tony Kernon
WG09/B	Summary of Agriculture Proof of Evidence of Mr Tony Kernon
WG10	Air Quality Proof of Evidence of Dr Michael Bull
WG10/A	Appendix to Air Quality Proof of Evidence of Dr Michael Bull
WG10/B	Summary of Air Quality Proof of Evidence of Dr Michael Bull

GENERAL AND SPECIFIC DOCUMENTS PUT ON PUBLIC DEPOSIT

CATEGORIES

DD001-DD050 Published Documents relating to the Orders

DD101-DD129 Policy and Strategy Documents

DD201-DD222 Regulations, Rules and Acts
 DD301-DD321 Design Manual for Roads & Bridges etc.
 DD401-DD407 British Standards and Other Standards
 DD501-DD537 Other Documents not in the above Categories

DD001	THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) ORDER 1999 (BRYNMAWR TO TREDEGAR) (AMENDMENT) ORDER 201- and associated plans
DD002	THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS)(BRYNMAWR TO TREDEGAR) (SIDE ROADS) ORDER 201- and associated plans and schedules
DD003	THE WELSH MINISTERS (THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) BRYNMAWR TO TREDEGAR)) COMPULSORY PURCHASE ORDER 201-and associated maps and schedules
DD004	FORMAL NOTICE OF INTENTION TO ISSUE A CERTIFICATE FOR THE PROPOSED COMPULSORY ACQUISITION OF LAND AND RIGHTS OVER COMMON LAND KNOWN AS MYNYDD LLANGATTWG – BEAUFORT (BCL017) AND MYNYDD LLANGATTWG (BCL018) NORTH OF BEAUFORT AND BRYNMAWR IN THE COUNTY BOROUGH OF BLAENAU GWENT - and associated maps and schedules
DD005	A465 Dualling Section 3 Brynmawr to Tredegar Environmental Statement 2011 Volume 1 -Technical Assessment Report.
DD006	A465 Dualling Section 3 Brynmawr to Tredegar Environmental Statement 2011 Volume 2 – Figures.
DD007	A465 Dualling Section 3 Brynmawr to Tredegar Environmental Statement 2011 Volume 3 -Technical Appendices Part 1 Appendix A – E11.
DD008	A465 Dualling Section 3 Brynmawr to Tredegar Environmental Statement 2011 Volume 3 -Technical Appendices Part 2 Appendix E12 – L.
DD009	The Public Notice announcing the publication of the draft Amendment Order and the draft Side Roads Order.
DD010	The Public Notice announcing the publication of the draft Compulsory Purchase Order.
DD011	The Public Notice announcing the publication of the Environmental Statement and the Statement to Inform an Appropriate Assessment.
DD012	The Public Notice announcing unknown ownership part of the draft Compulsory Purchase Order.
DD013	The Explanatory Statement explaining the proposals contained in the draft Amendment Order and the draft Side Roads Order
DD014	The Statement of Reasons explaining the proposals contained in the draft Compulsory Purchase Order.
DD015	The Notice of Determination explaining proposals will be made subject to an Environmental Impact Assessment and that an Assessment of Implications for European Sites (AIES) is required.
DD016	A465 Dualling Section 3 Brynmawr to Tredegar – Stage 3 Scheme Assessment Report (August 2011).
DD017	A465 Dualling Section 3 Brynmawr to Tredegar– Environmental Statement Non - Technical Summary (August 2011).
DD018	Public Notice announcing intention to hold a Pre - Inquiry meeting.
DD019	Public Notice announcing details of the Public Local Inquiry.
DD020	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.0 Introduction to the Environmental Assessment.

DD021	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.1. Section 1: Abergavenny to Gilwern.
DD022	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.2 Section 2: Gilwern to Brynmawr.
DD023	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.3 Section 3: Brynmawr to Tredegar.
DD024	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.4 Section 4: Tredegar to Dowlais Top.
DD025	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.5 Section 5: Dowlais Top to A470 Junction.
DD026	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.6 Section 6: A470 Junction to Baverstock.
DD027	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.7 Section 7: Baverstock to Hirwaun.
DD028	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 1.8 Summary and Overall Assessment of Proposed Scheme.
DD029	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.1 – Air Quality.
DD030	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.2 – Cultural Heritage.
DD031	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.3 – Ecology-1.
DD032	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.3 – Ecology–2.
DD033	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.3 – Part of Volume 2.3B and 2.3C (This is an environmentally sensitive document that was not put on deposit).
DD034	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.4 – Landscape and Visual.
DD035	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.4 – Visual Impact Schedules.
DD036	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.5 – Noise.
DD037	A465 Abergavenny to Hirwaun Dualling Environmental Non-Technical Summary October 1997.
DD038	Outline Statement of the Welsh Government's Principal Submissions to be put forward at the Public Local Inquiry.
DD039	The Neath to Abergavenny Trunk Road (A465) (Abergavenny to Hirwaun Dualling and Slip Roads) and East of Abercynon to East of Dowlais Trunk Road (A4060) and Cardiff to Glan Conwy Trunk Road (A470) (Connecting Roads) Order 1999 and associated plans.
DD040	Welsh Office letter of March 22nd 1999 conveying the Secretary of State's decision to make the draft Line Order 199-
DD041	The 1998 Inspector's report of the Public Local Inquiry into the draft Line Order 199-
DD042	National Assembly for Wales-press release of 21st August 2000 regarding grade separation of junctions.
DD043	A465 Dualling Section 3 Brynmawr to Tredegar Environmental Statement Supplement 2012 Volume 1 – Technical Appraisal Report.
DD044	A465 Dualling Section 3 Brynmawr to Tredegar Environmental Statement Supplement 2012 Volume 2 – Figures.
DD045	A465 Dualling Section 3 Brynmawr to Tredegar Environmental Statement Supplement 2012 Volume 3 – Appendices.
DD046	A465 Dualling Section 3 Brynmawr to Tredegar Environmental Statement Addendum Scoping Report (March 2010).
DD047	Abergavenny to Hirwaun: Brynmawr to Tredegar Section 3 Archaeological Field

	Work Report. 2003 (Unpublished previously).
DD048	Environmental Mitigation Management Plan.
DD049	Public Notice announcing the publication of a Supplement to the Environmental Statement and a Supplement to the Statement to Inform an Appropriate Assessment.
DD050	Abergavenny to Hirwaun Dualling 1997 Environmental Statement - Volume 2.2 – Gazeteer.
DD101	One Wales: Connecting the Nation – The Wales Transport Strategy (WAG 2008).
DD102	People Places Futures – The Wales Spatial Plan (WAG 2004).
DD103	People Places Futures – The Wales Spatial Plan 2008 Update (WAG 2008).
DD104	The National Transport Plan (WAG March 2010).
DD105	Prioritised National Transport Plan (WG December 2011).
DD106	The Environment Strategy for Wales (WAG 2006).
DD107	SEWTA Regional Transport Plan December 2010.
DD108	Trunk Road Forward Programme 2002.
DD109	Supplement to the Trunk Road Forward Programme 2004.
DD110	2008 Reprioritisation of the Trunk Road Forward Programme.
DD111	Strategic Environmental Assessment.
DD112	Walking and Cycling Action Plan for Wales 2009.
DD113	Blaenau-Gwent Regeneration Strategy (2009).
DD114	National Transport Model Department for Transport 2009
DD115	National Trip End Model TEMPRO Department for Transport (Version 5.4).
DD116	National Trip End Model TEMPRO of the Department for Transport.
DD117	Turning Heads-Towns and City Strategy for the Heads of the Valleys.
DD118	Rassau Industrial Estate Regeneration Strategy 2005.
DD119	A465 Heads of the Valleys Road Landscape Strategy June 2007.
DD120	Trunk Road Estate Biodiversity Action Plan (TREBAP).
DD121	UK Biodiversity Action Plan (UK BAP) 1994.
DD122	Institute of Ecology and Environmental Management 'Guidelines for Ecological Impact Assessment in the United Kingdom' (version 7 July 2006).
DD123	Habitat Regulations Assessment.
DD124	Statement to inform the Appropriate Assessment of the National Transport Plan (NTP) March 2010.
DD125	European Structural Funds 2007-2013 Strategic Framework – Sustainable Transport.
DD126	The UK Air Quality Strategy.
DD127	Defra Local Air Quality Management Technical Guidance LAQM.
DD128	Defra Local Air Quality Management Policy Guidance LAQM.
DD129	Planning Policy Wales (2011).
DD201	Highways (Assessment of Environmental Effects) Regulations (SI No. 369) 1999.
DD202	Highways (Environmental Impact Assessment) Regulations 2007 (SI No. 1062) 2007.
DD203	Habitats Regulations 2007.
DD204	Acquisition of Land Act 1981.
DD205	NAFWC 14/2004 Revised Circular on Compulsory Purchase Orders http://Wales .
DD206	The Highways Act 1980.
DD207	The Highways (Inquiries Procedure) Rules 1994.
DD208	The Compulsory Purchase by Ministers (Inquiries Procedure) Rules 2010 (Section 1 Published Docs).
DD209	Not Used
DD210	Construction (Design and Management) Regulations 2007.
DD211	The Law of Property Act 1925.

DD212	Noise Insulation Regulations (1988).
DD213	Not Used
DD214	EU Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment.
DD215	EU Directive 97/11/EC.
DD216	Public Participation Directive 2003/35/EC.
DD217	Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment.
DD218	Conservation of Habitats and Species Regulations 2010.
DD219	Countryside and Rights of Way Act 2000.
DD220	Natural Environment and Rural Communities Act (NERC) (2006).
DD221	Air Quality Standards (Wales) Regulations 2010.
DD222	Welsh Office Circular 60/96.

DD301	Design Manual for Roads and Bridges Volume 6 Section 1 Part 1 TD 9/93 Highway Link Design (incorporating Amendment No.1 dated Feb 2002).
DD302	Design Manual for Roads and Bridges Volume 6 Section 1 Part 2 TD 27/05 Cross-Sections and Headroom.
DD303	Design Manual for Roads and Bridges Volume 6 Section 2 Part 3 TD16/07-Geometric Design of Roundabouts.
DD304	Design Manual for Roads and Bridges Volume 6 Section 2 Part 1 TD 22/06 Layout of Grade-Separated Junctions.
DD305	Design Manual for Roads and Bridges Volume 5 Section 2 Part 2 HD 19/03 -Road Safety Audits.
DD306	Design Manual for Roads and Bridges Volume 10 Environmental Design and Management.
DD307	Design Manual for Roads and Bridges Volume 11 Environmental Assessment.
DD308	Design Manual for Roads and Bridges Volume 12 Traffic Appraisal of Road Schemes.
DD309	Design Manual for Roads and Bridges Volume 13 Economic Assessment of Road Schemes
DD310	Design Manual for Roads and Bridges Volume 14 Economic Assessment of Road Maintenance.
DD311	TD69/07 (UK DMRB 6.3.3) The Location and Layout of Lay-bys and Rest Areas.
DD312	TA57/87 (UK DMRB 6.3.3) Roadside Features.
DD313	TA90/05 (UK DMRB 6.3.5) The Geometric Design of Pedestrians Cycle and Equestrian Routes.
DD314	Interim Advice Note (IAN) 116/08 Nature Conservation Advice in Relation to Bats 2008.
DD315	Interim Advice Note (IAN) 125/09 (W) Supplementary Guidance for Users of DMRB Volume 11 'Environmental Assessment' Wales only.
DD316	Interim Advice Note (IAN) 130/10 Ecology and Nature Conservation: Criteria for Impact Assessment.
DD317	Interim Advice Note (IAN) 135/10 Landscape and Visual Effects Assessment.
DD318	Welsh Government Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009).
DD319	Design Manual for Roads and Bridges Volume 4 Section 1 Part 2 HD22/08 Managing Geotechnical Risk
DD320	DMRB Vol. 5 Section 1 Part 3 TA 46/97 Traffic Flow Ranges for Use in the Assessment of New Rural Roads.
DD321	DMRB Vol. 6 Section 2 Part7 TA 23/81 Junctions and Access: Determination of Size of Roundabouts and Major/Minor Junctions.
DD401	Not used
DD402	Not used
DD403	Not used

DD404	BS 5228-1:2009 and BS 5228-2:2009 Code of Practice for noise and vibration on construction and open sites.
DD405	BS 6472-1:2008 and BS 6472-2:2008 Guide to evaluation of human exposure to vibration in buildings.
DD406	BS 7385-2:1993 - Evaluation and measurement for vibration in buildings – Part 2: Guide to damage levels from ground-borne vibration.
DD407	BS ISO 4866:2010 – Mechanical vibration and shock - Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures.

DD501	Stage 1 Road Safety Audit Report.
DD502	Stage 1 Road Safety Audit Designer's Response.
DD503	Not used
DD504	Traffic and Collisions Report.
DD505	Traffic Survey Report.
DD506	Local Model Validation Report.
DD507	Traffic Forecasting Report.
DD508	Economic Assessment Report.
DD509	Not used
DD510	Local Model Validation Report Supplement.
DD511	Traffic Forecasting Report Supplement Report.
DD512	Economic Assessment Report Supplement.
DD513	Difference between the made Line Order 1999 and the draft Amendment Order 201-
DD514	Pollution Prevention Guidelines PPG6: Working at construction and demolition sites Published by the Environment Agency.
DD515	Calculation of Road Traffic Noise (1988).
DD516	Guidelines for Landscape and Visual Impact Assessment (GLVIA) 2nd Edition (2002).
DD517	WebTAG – Web-based Transport Appraisal Guidance (Department for Transport).
DD518	WelTAG – Welsh Transport Appraisal Guidance Welsh Government (2008).
DD519	Employment Densities Guide: 2nd Edition. Office of Project and Programme Advice and Training / Homes and Communities Agency (2010).
DD520	The Importance of Transport in Business Location Decisions. Napier University (2004).
DD521	Blaenau Gwent County Borough Employment Sites and Premises Study (2007).
DD522	Institute of Archaeologists 'Standards and Guidance for Archaeological Desk Based Assessments' (1994 revised 2001).
DD523	Blaenau Gwent County Borough Council Unitary Development Plan 2006.
DD524	Blaenau Gwent County Borough Council Deposit Local Development Plan 2011.
DD525	Brecon Beacons National Park Unitary Development Plan 2007.
DD526	Brecon Beacons National Park Deposit Local Development Plan 2010.
DD527	Brecon Beacons National Park Management Plan 2010 –2015.
DD528	Adopted Gwent Structure Plan (March 1996).
DD529	Powys County Structure Plan (Replacement) 1996.
DD530	LANDMAP.
DD531	A465 Dualling Section 3: Brynmawr to Tredegar – Preliminary Sources Study Report (PSSR).
DD532	A465 Dualling Section 3: Brynmawr to Tredegar - Ground Investigation Report (GIR).
DD533	A465 Dualling Section 3: Brynmawr to Tredegar – Geotechnical Design Report (GDR).
DD534	The Eddington Transport Study 2006.
DD535	Scheme Assessment Report April 1995.
DD536	Environmental Protection UK Development Control Planning for Air Quality.

DD537	GLA The control of dust and emissions from construction and demolition Best Practice Guidance.
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DOCUMENTS SUBMITTED TO THE INQUIRY LIBRARY DURING THE INQUIRY PERIOD

	INQUIRY DOCUMENTS (ID)
ID1	Inspector's note of the Pre-Inquiry meeting.
ID2	Counsel for Welsh Government opening speech.
ID3	Questions from Inspector regarding Alternatives 1 and 2.
ID4	Statutory procedures folder.
ID5	Plan/environmental mitigation management plan.
ID6	Boundary of the National Park.
ID7	Climbing lane assessment- economic.
ID8	Full assessment of climbing lane between Ebbw Vale East junction and Brynmawr junction- Qualitative.
ID9	Arrangements for the tie-in with section 2.
ID10	Agricultural land take-correction to land area discrepancy in the technical scheme assessment report.
ID11	Strategic traffic box of South Wales.
ID12	Comparison of A465 and A40/A449 AADT flows.
ID13	Exchange of land-Duke of Beaufort Estate Commoners Association-letter of acceptance.
ID14	Comparative levels of economic deprivation.
ID15	Effect of A465 dualling on travel times to and from selected locations.
ID16	Traffic growth comparisons 2006-2009.
ID17	Comparison of "do-minimum" forecasts with SWATS models.
ID18	Use of grass lined channels in verges.
ID19	A465 do minimum scenario included schemes.
ID20	Design review report issue date 1 st December 2010.
ID21	Design review report issue date 19 th July 2011.
ID22	Design review 6 th July 2011 and draft plans (fig 12.2 a-e).
ID23	Highlighted copy of the ES Supplement showing all changes to the previous policy.
ID24	An explanation of discrepancy of predicted traffic flows in Dukestown area between SWATS model and Arup model.
ID25	Note on WG position re accommodation of agricultural water supplies to severed lands.
ID26	Detail on where to find the information showing all designated SSSI and SAC on a map.
ID27	An explanation of the targeted recruitment and training clause in the contract.
ID28	Stage 1 road safety audit exception report.
ID29	Departures from Standard signed by Frances Duffy, Director of Transport at WG.
ID30	Blaenau-Gwent CBC letter 19 th March ref Statement of proposed works to de-trunk A465 and WG statement of proposed detrunking works.
ID31	Corrections to proofs of evidence- composite documents.
ID32	CPO modifications.
ID33	Made Line Amendment Order- table of clarifications.
ID34	Draft Side Roads Order- Table of typographical and labelling clarifications.
ID35	Schedule of clarifications to the published CPO.
ID36	Promoter's response to Objectors Alternative 1.
ID37	B4560 Llangynidr Road traffic forecasts.
ID38	Plan of houses fronting onto or with access with Llangynidr Road.
ID39	Promoter's response to Objectors Alternative 2.
ID40	Objection 1- supplemental rebuttal statement.

ID41	Climbing lane details (to be read in conjunction with ID7 and ID8 and exceptions report ID28).
ID42	Petition from Garn Lydan Residents (counter-objecting to Alternative 1).
ID43	Llangynidr Road local traffic movements.
ID44	Amended (Line) Amendment Order (incorporating all corrections and amendments).
ID45	Schedule of Modifications to the SRO.
ID46	Locality of signatures from the petition (ID42).
ID47	Traffic Route A between B4560 and Ebbw Vale town centre.
ID48	Traffic Route B and C between B4560 and Ebbw Vale town centre.
ID49	Closing statement by Welsh Government (by Mr Graham Walters).
ID50	Record of Attendees at the Inquiry.
ID51	WG publication of details of Alternatives 1 & 2
ID52	Comprehensive file of all cases of withdrawn written objections, including correspondence and associated rebuttals and of all cases of parties making representations with the exception of the Brecon Beacons National Park Authority

THE WELSH GOVERNMENT DOCUMENTS OF REBUTTAL EVIDENCE TO NON WITHDRAWN OBJECTIONS OR TO ONE UNSATISFIED REPRESENTATION.

Reb1 REBUTTAL TO THE EVIDENCE OF MR MARTIN EVANS

Reb2 REBUTTAL TO THE EVIDENCE OF MR PAUL AND MRS SUSAN JONES

Reb3 REBUTTAL TO THE EVIDENCE OF MRS MAUREEN LLOYD-BAINBRIDGE

Reb4 REBUTTAL TO THE BRECON BEACONS NATIONAL PARK AUTHORITY REPRESENTATION

FILES CONTAINING EVIDENCE OF WRITTEN OBJECTIONS AND THE CORRESPONDING REBUTTALS ARE SET OUT UNDER PREFIX O... AND THOSE OF COUNTER-OBJECTORS' CO...

14. ANNEX C - MODIFICATIONS SOUGHT BY THE WELSH GOVERNMENT AND RECOMMENDED BY THE INSPECTOR

The following modifications are requested by the Welsh Government and endorsed by the Inspector.

To the Amendment (Line) Order

The Amendment Order requires typographical amendments in order to correct the dimensional inaccuracies defined at ID44. These Modifications are set out below

Paragraph of the Amendment Order	Line of the relevant paragraph	Change from	Change to
(All on page 3)			
7	1	0.75km	0.89km
7	3	520m	570m
7	7	250m	290m
8	1	0.5km	0.6km
8	3	520m	570m
8	7	60m	50m
9	4	0.25km	0.27km
9	2	0.09km	0.12km
11	1	0.31km	0.26km
11	2	0.45km	0.47km
11	7	Delete "west"	
11	13	130m	100m
11	16	440m	200m
11	19	130m	140m
11	22	440m	350m
12	6	"eastbound"	"westbound"
12	7	"westbound"	"eastbound"
(On page 5)			
4 (1)	3	520m	570m

To The Side Roads Order

Modification 1

On schedule 1 of Site Plan 1 amend Highways to be stopped up and Particulars of New Highways to read "1/F (footpath) to be coexistent with the existing vehicular private means of access where it crosses that access.

Modification 2

On Schedule 2 of Site Plan 2 substitute 2/5a with 2/12a.

The following modifications specified in ID 45 would be required to the Side Roads Order to be modified in order to correct dimensional inaccuracies.

Modification 3

Schedule for Site Plan 1 substitute 148m for 52m.

Modification 4

In the Schedule 2 for Site Plan 2 substitute 450m for 480m in paragraph reference 2/9.

Modification 5

In Schedule 4 of Site Plan 4 delete the words, "the unclassified road known as".

Modification 6

In Schedule 5 for Site Plan 5 delete the words, "New Highway Ref 5/A".

To The Compulsory Purchase Order

Details of the requested modifications are set out at ID 32 and reference should also be made to those documents for details.

Modification 1

CPO Schedule 1, Tables 1 and 2 Plot 6/2g.

Delete Plot 6/2g from the CPO and replace with new Plots 6/6, 6/7 and 6/8.

These modifications should apply to Tables 1 and 2.

Substitute Extract CPO Sheet 6 Modification 1 drawing No A465 S3-LP-338 for that in the draft CPO plans.

Modification 2

Substitute Extract CPO Schedule 1, Table 2 Modification 2 for the entries in the draft CPO Schedule 1 Table 2.

Add an additional qualifying person (as specified at ID32) in respect of plots 4/6, 4/6a, 4/6b, 4/6d, 4/6e, 4/6f, 4/6g and 4/6h.

Modification 3

Substitute CPO Schedule 1, Tables 1 and 2 Modifications 3 for the entries in the draft CPO Schedule 1, Tables 1 and 2.

Reduce plot 1/12 from 195 m² to 110 m² and amend the description as requested by objector (OB 6) – delete “Tredegar Hand Wash and Valeting Service” from the Occupiers column.

Establish the following new Plots and rights:

Plot 1/12a -41m² (formerly part of plot 1/12) title

Plot 1/12b -7m² (for PMA ref 1/16a) title

Plot 1/12c -56m² (for footpath ref 1/f) title

Plot 1/12d -new rights over 113m²

Plot 1/12e -new plot 15m² essential licence

Plot 1/12f -new plot 28m² essential licence

Table 2: insert qualifying persons in columns 5 and 6 for plots 1/12, 1/12a, 1/12b, 1/12c, 1/12d, 1/12e and 1/12f

Substitute Extract CPO Sheet Modification 1 Drawing No A465 S3-LP-339 Rev P1 for the extract in the draft CPO.

Modification 4

Substitute Extract CPO Schedule 1 Table 1 Modification 4 for the entries in the draft CPO Schedule 1 Table 1.

Table 1:

Reduce Plot 1/8b from 894m² to 876m² (rights)

Create new Plot 1/8d of area 18m².

Number A465 S3-LP-341 Rev P1 for the extract from the draft CPO.

Modification 5

Substitute Extract CPO Schedule 1 Table 1 Modification 5 for the entries in the draft CPO Schedule 1 Table 1.

Table 1: Plot 1/11a - insert the rights to provide construction and maintenance of drainage works.

Modification 6

Substitute Extract CPO Schedule 1 Table 1 Modification 6 for the entries in the draft CPO Schedule 1 Table 1.

Table 1:

Reduce Plot 5/4h from 1,335m² to 1,133m² (rights)

Increase Plot 5/4i from 6,410m² to 6,616m² and add in the description "the bed and banks of the River Clydach" (title).

Table 2: Plot 5/4i add "Environment Agency Wales" in column 6 as a qualifying person.

Substitute Extract CPO Sheet 5 Modification 6 Drawing No A465 S3-LP-343 for the extract in the draft CPO plans.

Modification 7

Substitute extract CPO Schedule 1 Table 1 modification 7 for the entries in the draft CPO Schedule 1 Table 1.

Tables 1 and 2:

Reduce Plot 3/4d from 832m² to 754m² and reposition part of the plot-rights

Relocate Plot 3/4e.

Increase Plot 3/4f from 6,266m² to 6,344m² – (essential licence, as a consequence of relocating plot 3/4e).

Substitute CPO Sheet 3 Modification 7 Drawing A465 S3-LP-342 Rev P1 for the extract in the draft CPO plans.

Modification 8

Substitute extract CPO Schedule 1 Table 1 Modification 8 for the entries in the draft CPO.

Table 1:

Reduce plot 4/5c from 853m² to 835m² (essential licence).

Reduce plot 4/5j from 17,979m² to 17,961m² (essential licence).

Create new plot 4/5z of 18m² (title).

Create new plot 4/5aa of 18m² (title).

Plot 4/5t insert the right to construct and maintain land drainage.

Table 2: Reduce Plot 4/5j from 17,979m² to 1,7961m² (essential licence)

Create new Plot 4/5aa of 18m² (title).

Substitute extract CPO Sheet 4, Modification 8 Drawing A465 S3-LP-Rev P1 and A465 S3-LP-345 Rev P1 for the extracts in the draft CPO.

Modification 9

Substitute extract CPO Schedule 1 Table 1 Modification 9 for the entries in the draft CPO.

Table 1: Reduce Plot 2/25 from 4,843m² to 4,738m² (title).

Increase Plot 2/15a from 808m² to 1057m² (essential licence)

Substitute extract CPO Sheet 2, Modification Drawing No A465 S3-LP-346 Rev P0 for the extract in the draft CPO.

Modification 10

Substitute extract CPO Schedule 1 Tables 1 and 2 Modification 10 for the entries in the draft CPO.

Table 1: Delete Plots 2/3, 2/3d, 2/3e and replace with new plots 2/3f of 15m² (title) and 2/3g of 38m² (rights).

Reduce Plot 2/6a from 933m² to 818m² (rights).

Create Plot 2/6f of 17m² (rights) and create Plot 2/6g of 13m² (rights).

Substitute extract CPO Sheet 2 Modification 10 drawing A465 S3-LP-347 Rev P0 for that published in the draft CPO Sheet 2.

The following Modification was not sought by the Welsh Government but is recommended by the Inspector.

Reference should be made to paragraphs 10.61 & 10.62 of this report.

Side Roads Order - Site Plan 2

Add new private means of access from bridleway 332/59/1 to the isolated remnant area of plot 2/8g.

Compulsory Purchase Order - Site Plan 2

Reduce the area of Plot 2/8g by restricting the width of the Plot (in the made CPO) defined by a line parallel to the southern boundary of the Plot (the proposed highway boundary) extending only 18 metres (or thereabout) into the plot. The area that would lie beyond 18 metres from its boundary should remain with the current owners.